

## **Title 5**

# **BUSINESS LICENSES AND REGULATIONS**

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**Chapter 5.04**  
**BUSINESS LICENSES GENERALLY**

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**5.04.010 Preparation and issuance of forms.**

The comptroller shall provide suitable records, forms and blanks for every license and permit required by ordinance and for applications therefor. Such application blanks shall be furnished to any person having occasion to use the same by the proper officer authorized to issue such license or permit or by the city clerk.

(Prior code § 19-1)

**5.04.020 Requirements as to license and permit applications.**

Every application for a license or permit shall be signed by the person to whom the license or permit is to be issued, or by his authorized agent; and it shall specify the time and place for which such license or permit is desired, the particular nature of the act to be done, and such other particulars as may be required to show that such license or permit, if granted, will be used in accordance with law. All such applications shall be numbered and kept on file by the officer or board by whom issued.

(Prior code § 19-2)

#### **5.04.030 Issuance of licenses and permits.**

A. Applications for licenses and permits shall be addressed to the officer or board authorized to issue the same. If such officer or board shall be authorized to issue any such license or permit in his or its discretion, the same shall be issued as aforesaid, if deemed proper; but if such matter is to be first decided by the common council, the application shall be laid before them with such information on the subject as may be possessed. Every license or permit provided for by this chapter shall be signed by the proper officer or board authorized to issue the same. When a license or permit is required, and no other officer is designated to issue the same, it shall be issued by the mayor.

B. No license shall be issued, released, approved or renewed by the department of health and social services if there exist unpaid taxes due the city on personal property for which a license had previously been issued and such unpaid taxes were due from the applicant for the present license or from the person such applicant represents.

(Ord. dated 12/21/92 § 75(g); prior code § 19-3)

#### **5.04.040 Contents of licenses and permits.**

All licenses and permits shall be numbered, shall set forth the name and address of the licensee, and shall contain a condition that every person acting under the same shall conform to the representations of the application therefor, and to the provisions of the ordinances and statutes applicable to the subject matter thereof, and to such other terms and conditions as the particular circumstances of each case shall, in the judgment of the authority issuing the licenses or permits, require.

(Prior code § 19-4)

#### **5.04.050 Record book.**

Every officer or board authorized to issue licenses or permits shall enter in a book maintained for that purpose a record of every such license or permit, which shall set forth the number, the date, the name of the person to whom issued, the purpose for which it is issued, the time when it will expire, any special conditions included therein and the amount of fee charged therefor.

(Prior code § 19-5)

#### **5.04.060 Certain acts not authorized under licenses and permits.**

No license or permit issued under this code shall authorize or excuse any breach of law, or any trespass upon the rights of others, or render the city liable for any damage that may be committed or caused under color thereof.

(Prior code § 19-6)

#### **5.04.070 Duration and transfer.**

Unless otherwise provided by ordinance or law, no license or permit shall be given or continue in force for a longer time than one year and shall terminate on the first day of October next succeeding the date of issue. Such licenses and permits shall not be transferable as to person or place except with the consent of the authority issuing the same.

(Prior code § 19-7)

#### **5.04.080 Revocation.**

The officer or board empowered to issue any license or permit provided by ordinance may at any time revoke the same for any breach of the terms or conditions thereof upon giving to the person to whom the same is issued notice of such revocation and making a record thereof. Any act done under color of such license or permit after such revocation shall subject the person doing or suffering the same to be done to the same penalty as if he had done such act without a license or permit, unless such revocation is disapproved as provided in this chapter.

(Prior code § 19-8)

#### **5.04.090 Appeals to the common council.**

If any person shall feel aggrieved by the neglect or refusal of any officer or board to issue any license or permit provided by ordinance, or by the terms or conditions imposed therein, or by any revocation thereof, he may appeal to the common council at any meeting thereof upon giving notice to such officer one week previous to such meeting. The common council may order such modification of the action appealed from as it may deem proper; but, until the action appealed from shall be disapproved or modified by the common council, it shall be binding upon the appellant.

(Prior code § 19-9)

## **Chapter 5.08**

### **ALCOHOLIC BEVERAGES**

Sections:

5.08.010 Sunday sales restricted.

5.08.020 Endorsement of applications to liquor control commission.

5.08.030 Possession and/or consumption of alcoholic liquor on public highways, parking area or other public areas prohibited.

#### **5.08.010 Sunday sales restricted.**

A. Generally. Pursuant to the authority of the Liquor Control Act, the sale of alcoholic liquors on Sunday between twelve noon and nine p.m. shall be legal in hotels, restaurants and clubs, with meals.

B. Beer Taverns. Pursuant to Public Act No. 74-181 (1974), beer taverns in the city are permitted to be opened from twelve noon to eleven p.m. on Sunday.

(Prior code § 4-1)

#### **5.08.020 Endorsement of applications to liquor control commission.**

Every application to the liquor control commission of the state, for a permit for the manufacture or sale of alcoholic liquor and requiring an endorsement thereon as to the status of the premises and the intended use thereof with respect to zones and zoning regulations of the city, shall be so endorsed solely by the zoning commission, acting through its duly authorized agent. Upon the presentation of each such application for such endorsement, there shall be paid to the zoning commission the sum of six dollars (\$6.00) as a fee for the necessary examination of the records and making of endorsements, which sums shall be paid by it to the city treasurer for the use of the city.

(Prior code § 4-2)

#### **5.08.030 Possession and/or consumption of alcoholic liquor on public highways, parking area or other public areas prohibited.**

A. Definitions. For the purposes of this section:

"Alcoholic liquor" shall have the same meaning as set forth in Section 30-1 of the Connecticut General Statutes.

"Open container" means any open bottle or can which has been opened in any way; any bottle which was sealed by a liquor tax stamp which seal has been broken, whether or not stopped; or any keg or dispensing device which is set up to dispense; or any glass, cup, jar or other vessel.

"Public area" means sidewalk, parking lot, with or without a fee, alley, park in accordance with the regulations established by the board of park commissioners, mall, plaza, area, stadium, cemetery or other publicly owned place which is open to the public.

"Public highway" means any highway, road, street, avenue, boulevard or way within and under the control of the city and open to public use.

"Public transit" means any city transit motor bus engaged in regular passenger service and operated on a fixed route on any highway, road, street, avenue or other way within the city.

B. Prohibition. Except as permitted in subsection C of this section, the drinking of any open container of alcoholic liquor is prohibited upon or within a public area or public highway or public transit within the city.

C. Exceptions.

1. The mayor of the city may upon application authorize the consumption of alcoholic beverages on any public area or public highway within the city under such conditions as he shall deem appropriate for the protection of the public including, but not limited to, any function, festival, event or celebration conducted on or within a public area or highway.

2. The director of parks and recreation may authorize alcoholic liquor in public parks as provided in Section 12.28.060 of this code.

D. Any person violating the provisions of this chapter shall be subject to a penalty as stated in Chapter 1.12 of the code except a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Ord. dated 12/21/92 § 64; prior code § 4-3)

## **Chapter 5.12**

### **MESSAGE ESTABLISHMENTS AND MESSAGE THERAPISTS**

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- 5.12.040 Exceptions.
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- 5.12.070 Notification of suspension or revocation of permits Hearing.
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### **Article I. In General**

#### **5.12.010 Short title.**

This chapter shall be known and may be cited as the "massage establishment and massage therapists ordinance" for the city.

(Ord. dated 1/6/92 (part))

#### **5.12.020 Purpose of chapter.**

It is resolved that the business of operating massage establishments, as defined in this chapter, is a business affecting the public health, safety and general welfare, and as such necessitates regulation and control.

(Ord. dated 1/6/92 (part))

#### **5.12.030 Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

"Chief of police" means the chief of the Bridgeport police department in the city.



"Employee" means any and all persons including independent contractors other than the massage therapists who render any service in a massage establishment, but have no physical contact with customers or clients.

"Health director" means the director of health for the city.

"Massage establishment" means any establishment by whatever name called, where any person engages in or carries on or permits to be engaged in or carried on, any of the activities of massage as defined this section, for a profit.

"Massage therapist" means a person who meets the educational requirements for treatment and certification as a Connecticut Certified Massage Therapist set forth in Chapter 384a of the Connecticut General Statutes.

"Massage therapy" means the systematic and scientific manipulation and treatment of the soft tissues of the body, by use of pressure, friction, stroking, percussion, kneading, vibration by manual or mechanical means, range of motion and nonspecific stretching. Massage therapy may include the use of oil, ice, hot and cold packs, tub, shower, steam, dry heat, or cabinet baths, for the purpose of, but not limited to, maintaining good health and establishing and maintaining good physical and mental condition. Massage therapy does not encompass diagnosis, the procedure for which a license to practice medicine, chiropractic, natureopathy, physical therapy or podiatry is required by law.

"Outcall massage service" means any business, the function of which is to engage in or carry on massage at a location designated by the customer or patron rather than at a massage establishment.

"Recognized school" means any school or institute of learning which has for its purpose the teaching of theory and practice, the method, profession or work of massage including anatomy, physiology, hygiene and professional ethics. Such school must require a resident course of study of not less than six months prior to graduating or receiving a certificate of graduation, with classroom instruction totalling not less than five hundred (500) clock hours as specified in the following subjects: anatomy, physiology, theory and practice of massage and clinical practice.

(Ord. dated 1/6/92 (part): prior code § 19-122)

### **5.12.040 Exceptions**

In addition to those practices not encompassed under the definition of "massage therapist" in Section 5.12.030 of this chapter, this chapter shall not apply to any recognized school, hospital, nursing home, sanitarium, clinics, rehabilitation facility, nonprofit agencies, barber schools, operating in accordance with the laws of the state, nor to any person holding a valid certificate or license to practice the healing arts or to practice podiatry, physical therapy, midwifery, nursing, dentistry, dental hygiene or optometry, or to engage in the occupation of barber, hairdresser or cosmetician under the laws of the state; provided

that the activities of such person are confined to those for which the certificate or license is granted, nor shall this chapter apply to any person lawfully acting under their supervision or control; nor shall it prohibit the furnishing of assistance in the case of emergency.

(Ord. dated 1/6/92 (part): prior code § 19-123)

### **5.12.050 Promulgation of rules and regulations.**

The chief of police and the health director shall promulgate and enforce reasonable rules and regulations to carry out the requirements of this chapter. The chief of police and the health director shall upon promulgating any regulation or rule, file a copy of the regulation or rule, with the city clerk.

(Ord. dated 1/6/92 (part): prior code § 19-124)

### **5.12.060 Inspections.**

The police department and the city health official, as directed by the health director, shall, from time to time, but not less than twice a year, make an inspection of such massage establishments in the city for purposes of determining that the provisions of this chapter are complied with. Such inspections shall be at a reasonable time, and completed in a reasonable manner. No person shall hinder any police officer or health official in carrying out an inspection under this chapter.

(Ord. dated 1/6/92 (part): prior code § 19-125)

(Ord. dated 6/16/08)

### **5.12.070 Notification of suspension or revocation of permits Hearing.**

A. The chief of police shall not revoke or suspend any permit issued under this chapter without notifying the holder of the permit, in writing, of the facts and of the specific section or sections of this chapter upon which his determination was made and of the holder's right to request a hearing before the chief of police and to present evidence or argument on all the facts or issues involved. The chief of police shall upon receipt of a request for such hearing, schedule such hearing not later than thirty (30) days from the date of receipt of the request and shall notify all parties of the time and place of such hearing.

B. A request for such hearing under this section shall stay any revocation or suspension until such time as a hearing has been held and a decision rendered thereon; provided, however, that if the chief of police finds that the public health, safety or welfare imperatively requires emergency action and incorporates a finding to that effect in his notice, the permit may be summarily suspended, pending a hearing, which hearing shall be scheduled within five business days of the order of suspension and all facts and issues promptly determined.

(Ord. dated 1/6/92 (part): prior code § 19-126)

### **5.12.080 Hearings on denial of permit or renewal.**

A. The chief of police shall notify the applicant in writing of his decision to refuse to issue or renew a permit under this chapter and his reason(s) therefor.

B. Any applicant denied a permit or renewal of such permit may request, in writing, a hearing before the chief of police at which hearing such persons may present evidence and argument on all the facts or issues involved.

C. The chief of police shall, upon receipt of a request for a hearing under this section, schedule a hearing not later than fifteen (15) days from the date of receipt of the request and shall notify all parties of the time and place of such hearing.

D. The chief of police shall render a decision within ten days of the conclusion of the hearing.

(Ord. dated 1/6/92 (part): prior code § 19-127)

### **5.12.090 Transfer of permit.**

No permit issued under this chapter may be transferred.

(Ord. dated 1/6/92 (part): prior code § 19-128)

### **5.12.100 Penalties for violation and enforcement.**

A. Any person violating any of the provisions of this chapter shall be punished as provided in Chapter 1.12 of this code.

B. The chief of police may issue a cease and desist order to abate any violation of this chapter and may apply to the superior court to enforce any such order.

(Ord. dated 1/6/92 (part): prior code § 19-129)

### **5.12.110 Effective date Current massage establishments and massage therapists.**

A. This chapter shall be effective upon passage and publication as required by law.

B. The operator of any massage establishment or any massage therapist operating on or practicing massage therapy on the effective date of the ordinance codified in this chapter may continue to operate a

massage establishment or practice massage therapy without the permits required by this chapter for the period of ninety (90) days after the effective date of the ordinance codified in this chapter, thereafter, no person shall operate a massage establishment or practice massage therapy without complying with the requirements of this chapter.

(Ord. dated 1/6/92 (part): prior code § 19-130)

## **Article II. Massage Establishment Permit**

### **5.12.120 Permit required.**

No person shall engage in, conduct or carry on or permit to be engaged in, conducted or carried on, in or upon any premises in the city, the operation of a massage establishment without first having obtained a permit from the chief of police and the health director.

(Ord. dated 1/6/92 (part): prior code § 19-131)

(Ord. dated 6/16/08)

### **5.12.130 Filing of application Fee.**

Each applicant for a permit to operate a massage establishment shall file an application with the chief of police and pay a filing fee of one hundred and fifty dollars (\$150.00), and a filing fee of one hundred and fifty dollars (\$150.00) with the health director, which filing fees shall not be refundable.

(Ord. dated 1/6/92 (part): prior code § 19-132)

(Ord. dated 6/16/08; Ord. dated 11/3/08)

### **5.12.140 Contents of application.**

The application for a permit to operate a massage establishment shall be in writing, signed and sworn to by the applicant and shall set forth in a manner and form prescribed by the chief of police, the following requirements:

- A. The name and address of each applicant;
- B. The applicant's Social Security number or employer identification number;
- C. Written evidence that the applicant is at least eighteen (18) years of age;

- D. The proposed place of business and facilities therein;
- E. The exact nature of the massage to be administered;
- F. Two portrait photographs of the applicant at least two inches by two inches and a complete set of the applicant's fingerprints. Such fingerprints shall be taken by the police department;
- G. Business, occupation or employment history of the applicant for the three years immediately preceding the date of application;
- H. Massage or similar business license or permit history in this or any other state of the applicant for the three years immediately preceding the date of the application and whether or not the applicant has had any such license or permit denied, suspended or revoked and the reason or reasons therefore;
- I. Any criminal conviction, except minor motor vehicle violations within five years preceding the date of application;
- J. Plans for the physical layout of the massage establishment;
- K. The applicant's massage therapy permit. If the applicant is not a massage therapist then the application shall designate a permitted massage therapist to be the agent of the principal owner and operator and to be in constant direct and personal supervision of said establishment;
- L. A list of all persons having a beneficial financial interest in the massage establishment and the amount of each person's interest if ten percent or over. If a corporation holds ten percent or more, the names and addresses of the corporate officers, directors and shareholders;
- M. The certificates, licenses and permits necessary to operate and carry out the proposed business, showing proper compliance with all the applicable rules, regulations, ordinances and statutes including zoning, building and health laws and regulations;
- N. A written statement of operating policies and procedures pertaining to such matters as times of operation, accessibility, personnel policies, safety and health of clients and employees;
- O. Authorization to the chief of police to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualification of the applicant for the permit; and
- P. Such other information as may be required in order for the chief of police to carry out or make any determination required by this chapter.
- Q. The application to the health director shall provide a list of all equipment that will be used and the

method of sterilizing any equipment that will come in contact with human skin.

R. Such other information as may be required in order for the health director to carry out or make any determination regarding the health and safety of customers as required by this chapter.

(Ord. dated 1/6/92 (part): prior code § 19-133)

(Ord. dated 6/16/08)

### **5.12.150 Issuance of a permit.**

A. The chief of police shall issue a permit to operate a massage establishment or notify applicant of his denial within thirty (30) days of the receipt of the application. A permit shall be issued upon finding:

1. All requirements concerning operation and facilities described in this chapter will be complied with as of the effective date of the permit;

2. Compliance with all other statutes, codes or ordinances including health, zoning, building, fire and safety requirements of the city and the state as of the effective date of the permit;

3. The applicant has not be convicted within five years immediately preceding the date of the application of a crime involving the unauthorized practice of the healing arts, sexual misconduct, or obscenity or any offense of prostitution, pandering or solicitation of a lewd or unlawful act;

4. The applicant has not in this or any other state within the three years immediately preceding the date of the application had a massage or similar business license or permit suspended or revoked for a reason or reasons that would authorize the chief of police to revoke a permit under this chapter;

5. The applicant has complied with, furnished all information, documents certification required and meets the requirements set forth in Section 5.12.140;

6. The applicant has paid the requisite filing fee and fee for issuance of a permit to operate a massage establishment.

B. The fee for issuance of a permit to operate a massage establishment shall be two hundred and fifty dollars (\$250.00).

C. All permits issued under this section shall be kept on public display in a conspicuous place on the premises of the massage establishment.

D. In addition to the permit issued by the chief of police, the health director shall issue a permit to

operate a massage establishment following an inspection and a determination that the health, safety and general welfare of the public who patronize the establishment meet all health and safety standards the director deems to be appropriate.

E. The applicant has paid the requisite filing fee and fee for issuance of a permit from the health director that the massage establishment meets all health and safety requirements.

F. The fee for issuance of a health and safety permit for a massage establishment shall be two hundred and fifty dollars (\$250.00).

G. All permits issued by the health director under this section shall be kept on public display in a conspicuous place on the premises of the massage establishment.

(Ord. dated 1/6/92 (part): prior code § 19-134)

(Ord. dated 6/16/08)

#### **5.12.160 Expiration of permit Renewal Application Fee.**

A. Unless sooner revoked or suspended all permits issued to operate a massage establishment shall expire on the thirtieth day of June, 1993 succeeding the date of issue thereof and the thirtieth day of June each year thereafter.

B. A permit may be renewed under the same terms and conditions as the issuance of an original permit upon the filing of an application in the same form as an original application and payment of the requisite application and permit fees; provided, however, in the event a permit is renewed the application fee paid shall be credited to the payment of the permit fee.

C. In the event an application for renewal of a permit is filed prior to the date of expiration of the permit then the permit shall not expire until it is renewed or until three business days after notice of denial of the application for renewal is sent to the applicant by the chief of police.

D. Unless sooner revoked or suspended all permits issued to operate a massage establishment shall expire on the thirtieth day of June 2009 succeeding the date of issue thereof and the thirtieth day of June each year thereafter.

E. A permit may be renewed under the same terms and conditions as the issuance of an original permit upon the filing of an application in the same form as an original application and payment of the requisite application and permit fees; provided, however, in the event a permit is renewed the application fee paid shall be credited to the payment of the permit fee.

F. In the event an application for renewal of a permit is filed prior to the date of expiration of the permit then the permit shall not expire until it is renewed or until three business days after notice of denial of the application for renewal is sent to the applicant by the health director.

(Ord. dated 1/6/92 (part): prior code § 19-135)

(Ord. dated 6/16/08)

### **5.12.170 Revocation or suspension of permit.**

Any permit for a massage establishment may be revoked or suspended by the chief of police if the permit holder or the permit holder's massage therapist agent under Section 5.12.140(K) or any employee or massage therapist in his/her employ is involved in any violations of this chapter or commits or meets any of the following:

- A. Is convicted of a crime involving the unauthorized practice of the healing arts, sexual misconduct, obscenity or any offenses of prostitution, pandering or solicitation of a lewd or unlawful act;
- B. Uses or permits to be used on the premises any narcotic or any controlled substance as described in Connecticut General Statutes 21a-240 and 21a-242 to the extent or manner that such use is illegal;
- C. Fails to maintain standards prescribed by the State Department of Health, the health department of the city and the Bridgeport police department;
- D. Furnishes or makes any misleading or false statements or report in relation to this chapter;
- E. Refuses to submit to the chief of police any reports or refuses to make available to the chief of police any records required by the chief of police to investigate the establishment for purposes associated with this chapter;
- F. Fails or refuses to submit to an investigation or inspection by persons authorized by the city to conduct fire-, building-, health-, or law enforcement-related inspections;
- G. Fails to provide, maintain, equip and keep in a safe and sanitary condition the premises established for and used by clients and customers pursuant to minimum standards prescribed by the State Department of Health or the city health department;
- H. Employs any unpermitted massage therapist to practice massage therapy in the massage establishment; or
- I. Violates any of the provisions of this chapter, or the rules and regulations established by the chief of



police or the director of health pursuant to this chapter.

J. Any health and safety permit for a massage establishment may be revoked or suspended by the health director if:

1. The establishment fails any inspection of the establishment and does not cure the violations as required by the health director, or
2. The owner or employee of the establishment violates any of the provisions of this chapter, or the rules and regulations established by the director of health pursuant to this chapter.

(Ord. dated 1/6/92 (part): prior code § 19-136)

(Ord. dated 6/16/08)

### **Article III. Massage Therapy Permit**

#### **5.12.180 Permit required.**

No person, including an applicant for a massage establishment permit, shall engage in the practice of massage therapy without first having obtained a massage therapy permit from the chief of police.

(Ord. dated 1/6/92 (part): prior code § 19-137)

#### **5.12.190 Filing of application Fee.**

Each applicant for a massage therapy permit shall file an application with the chief of police and pay a filing fee of fifty dollars (\$50.00), which filing fee shall not be refundable.

(Ord. dated 1/6/92 (part): prior code § 19-138)

#### **5.12.200 Contents of application.**

The application for a massage therapy permit shall be in writing, signed, sworn to by the applicant, and shall set forth, in a manner and form prescribed by the chief of police, the following requirements:

- A. The name and address of the applicant;
- B. The applicant's social security number;

- C. Applicant's height, weight, color of hair and eyes, and a full set of applicant's fingerprints (fingerprints to be taken by the police department);
- D. Written evidence that the applicant is at least eighteen (18) years of age;
- E. Business, occupation or employment history of the applicant for three years immediately preceding the date of application;
- F. Massage or similar business license or permit history in this or any other state of the applicant for the three years immediately preceding the date of the application and whether or not the applicant has had such license or permit denied, suspended or revoked and the reason or reasons therefor;
- G. Whether such applicant has ever been convicted of any crime except for minor traffic violations within the five years immediately preceding the date of application;
- H. Name and address of the recognized school attended, the dates attended and a copy of the diploma or certificate of graduation awarded to the applicant, showing the applicant is a massage therapist as defined in this chapter and transcript that verifies graduation from said accredited school;
- I. Two portrait photographs of the applicant of at least two inches by two inches;
- J. Authorization to the chief of police to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit; and
- K. Such other information as may be required in order for the chief of police to make any determination required by this chapter.

(Ord. dated 1/6/92 (part): prior code § 19-139)

### **5.12.210 Issuance of permit Fee.**

- A. The chief of police shall issue a massage therapy permit or notify the applicant of his/her denial within thirty (30) days after such application. A permit shall be issued upon finding:
  - 1. That the applicant is at least eighteen (18) years of age;
  - 2. The applicant is a massage therapist as defined in this chapter;
  - 3. That the applicant has not been convicted within five years immediately preceding the date of the application of a crime involving the unauthorized practice of the healing arts, sexual misconduct, obscenity, or any other offenses of prostitution, pandering or solicitation of a lewd or unlawful act;

4. The applicant has not in this or any other state within the three years immediately preceding the date of the application had a massage or similar business license or permit suspended or revoked for a reason or reasons that would authorize the chief of police to revoke a permit under this chapter;
5. The applicant has complied with, furnished all information, documents and certificates required and meets the requirements set forth in Section 5.12.200; and
6. The applicant has paid the requisite application and permit fees.

B. The fee for a massage therapy permit shall be one hundred and fifty dollars (\$150.00).

C. All permits issued under this section shall be carried on the person of or within immediate access to the permitted massage therapist at all times the permitted massage therapist is engaging in or carrying on massage therapy whether at a massage establishment or in an outcall massage service.

(Ord. dated 1/6/92 (part): prior code § 19-140)

(Ord. dated 6/16/08; Ord. dated 11/3/08)

#### **5.12.220 Expiration of permit Renewal Application Fee.**

A. Unless sooner revoked or suspended all massage therapy permits shall expire on the thirtieth day of June, 1993 succeeding the date of issue thereof and on the thirtieth day of June each year thereafter.

B. A permit may be renewed under the same terms and conditions as the issuance of an original permit upon the filing of an application and payment of the requisite application and permit fees.

C. In the event an application for renewal of a permit is filed prior to the date for expiration of the permit then the permit shall not expire until it is renewed or until three business days after notice of denial of the application for renewal is sent to the applicant by the chief of police.

(Ord. dated 1/6/92 (part): prior code § 19-141)

#### **5.12.230 Revocation or suspension of permit.**

Any massage therapy permit may be revoked or suspended by the chief of police if the permit holder is involved in violations of this chapter or commits or meets any of the following:

A. Is convicted of a crime involving the unauthorized practice of the healing arts, sexual misconduct, obscenity or any offenses of prostitution or pandering or solicitation of a lewd or unlawful act;

B. Uses any narcotic or any controlled drug as described in Connecticut General Statutes 21a-240 and 21a-242 to an extent or manner that such use is illegal;

C. Fails to maintain standards prescribed by the State Department of Health, the health department of the city and the Bridgeport police department or any other applicable statutes, ordinances, rules or regulations;

D. Furnishes or makes any misleading or false statements or report in relation to this chapter;

E. Refuses to submit to the chief of police any reports or refuses to make available to the chief of police any records required by the chief of police to investigate compliance with this chapter;

F. Employs any unpermitted massage therapist;

G. Violates any of the provisions of this chapter, or the rules or regulations established by the chief of police or the director of health pursuant to this chapter.

(Ord. dated 1/6/92 (part): prior code § 19-142)

## **Article IV. Outcall Massage Service**

### **5.12.240 Permit required.**

No person shall engage in the business of, carry out or conduct an outcall massage service unless that person is a permitted massage therapist under this chapter or the holder of a permit to operate a massage establishment under this chapter.

(Ord. dated 1/6/92 (part): prior code § 19-143)

### **5.12.250 Records required.**

A. Any person who engages in the business of, carries on or conducts an outcall massage service shall keep adequate records showing the time, address, nature of the massage therapy administered and the name and address of the massage therapist administering the massage therapy.

B. The records required in subsection A of this section shall be retained for a period of not less than two years after each such outcall massage therapy is administered and shall be available to the chief of police or the director of health for his/her inspection.

(Ord. dated 1/6/92 (part): prior code § 19-144)

## **Chapter 5.14**

# **TATTOO ESTABLISHMENTS AND TATTOO ARTISTS**

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## **Article I. In General**

### **5.14.010 Short title.**

This chapter shall be known and may be cited as the "tattoo establishment and tattoo artists ordinance" for the city.

(Ord. dated 5/5/08)

### **5.14.020 Purpose of chapter.**

It is resolved that the business of operating tattoo establishments, as defined in this chapter, is a business affecting the public health, safety and general welfare, and as such necessitates regulation and control.

(Ord. dated 5/5/08)

### **5.14.030 Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

"Chief of police" means the chief of the Bridgeport police department in the city.

"Employee" means any and all persons including independent contractors other than the tattoo artists who render any service in a tattoo establishment, but have no physical contact with customers or clients.

"Health director" means the director of health for the city.

"Tattoo establishment" means any establishment by whatever name called, where any person engages in or carries on or permits to be engaged in or carried on, any of the activities of using ink to mark the human skin, for a profit.

"Tattoo artist" means a person who owns or is employed by or provides the service of using ink to mark the human skin for profit.

(Ord. dated 5/5/08)

#### **5.14.040 Promulgation of rules and regulations.**

The chief of police, by the approval of the Police Board of Commissioners, and the health director, by the approval of the State Commissioner of the Department of Health, shall promulgate and enforce reasonable rules and regulations to carry out the requirements of this chapter. The chief of police and the health director shall, upon notification of the approval of any regulation or rule to carry out the requirements of this chapter, file a copy of the regulation or rule, with the city clerk.

(Ord. dated 5/5/08)

#### **5.14.050 Inspections.**

The police department and the city health official shall, from time to time, but not less than twice a year, make an inspection of such tattoo establishments in the city for purposes of determining that the provisions of this chapter are complied with. Such inspections shall be at a reasonable time, and completed in a reasonable manner. No person shall hinder any police officer or health official in carrying out an inspection under this chapter.

(Ord. dated 5/5/08)

#### **5.14.060 Notification of suspension or revocation of permits Hearing.**

A. The chief of police shall not revoke or suspend any permit issued under this chapter without notifying the holder of the permit, in writing, of the facts and of the specific section or sections of this chapter upon which his determination was made and of the holder's right to request a hearing before the chief of police and to present evidence or argument on all the facts or issues involved. The chief of police shall upon receipt of a request for such hearing, schedule such hearing not later than thirty (30) days from the date of receipt of the request and shall notify all parties of the time and place of such hearing.

B. A request for such hearing under this section shall stay any revocation or suspension until such time as a hearing has been held and a decision rendered thereon; provided, however, that if the chief of police finds that the public health, safety or welfare imperatively requires emergency action and incorporates a finding to that effect in this notice, the permit may be summarily suspended, pending a hearing, which hearing shall be scheduled within five business days of the order of suspension and all facts and issues promptly determined.

(Ord. dated 5/5/08)

## **Article II. Tattoo Establishments**

#### **5.14.120 Permit required.**

No person shall engage in, conduct or carry on or permit to be engaged in, conducted or carried on, in or upon any premises in the city, the operation of a tattoo establishment without first having obtained a permit from the chief of police.

(Ord. dated 5/5/08)

#### **5.14.130 Filing of application Fee.**

Each applicant for a permit to operate a tattoo establishment shall file an application with the chief of police and pay a filing fee of fifty dollars (\$50.00), which filing fee shall not be refundable.)

(Ord. dated 5/5/08)

#### **5.14.140 Contents of application.**

The application for a permit to operate a tattoo establishment shall be in writing, signed and sworn to by the applicant and shall set forth in a manner and form prescribed by the chief of police, the following requirements:

- A. The name and address of each applicant;
- B. The applicant's Social Security number or employer identification number;
- C. Written evidence that the applicant is at least eighteen (18) years of age;
- D. The proposed place of business and facilities therein;
- E. The exact nature of the tattoo to be administered;
- F. Two portrait photographs of the applicant at least two inches by two inches and a complete set of the applicant's fingerprints. Such fingerprints shall be taken by the police department;
- G. Business, occupation or employment history of the applicant for the three years immediately preceding the date of application;
- H. Tattoo or similar business license or permit history in this or any other state of the applicant for the three years immediately preceding the date of the application and whether or not the applicant has had any such license or permit denied, suspended or revoked and the reason or reasons therefore;



I. Any criminal conviction, except minor motor vehicle violations within five years preceding the date of application;

J. Plans for the physical layout of the tattoo establishment;

K. The applicant's tattoo artist permit. If the applicant is not a tattoo artist then the application shall designate a permitted tattoo artist to be the agent of the principal owner and operator and to be in constant direct and personal supervision of said establishment;

L. A list of all persons having a beneficial financial interest in the tattoo establishment and the amount of each person's interest if ten percent or over. If a corporation holds ten percent or more, the names and addresses of the corporate officers, directors and shareholders;

M. The certificates, licenses and permits necessary to operate and carry out the proposed business, showing proper compliance with all the applicable rules, regulations, ordinances and statutes including zoning, building and health laws and regulations;

N. A written statement of operating policies and procedures pertaining to such matters as times of operation, accessibility, personnel policies, safety and health of clients and employees;

O. Authorization to the chief of police to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualification of the applicant for the permit; and

P. Such other information as may be required in order for the chief of police to carry out or make any determination required by this chapter.

(Ord. dated 5/5/08)

#### **5.14.150 Issuance of a permit.**

A. The chief of police shall issue a permit to operate a tattoo establishment or notify applicant of his denial within thirty (30) days of the receipt of the application. A permit shall be issued upon finding:

1. All requirements concerning operation and facilities described in this chapter will be complied with as of the effective date of the permit;

2. Compliance with all other statutes, codes or ordinances including health, zoning, building, fire and safety requirements of the city and the state as of the effective date of the permit;

3. The applicant has not be convicted within five years immediately preceding the date of the application

of a crime involving the unauthorized practice of the healing arts, sexual misconduct, or obscenity or any offense of prostitution, pandering or solicitation of a lewd or unlawful act;

4. The applicant has not in this or any other state within the three years immediately preceding the date of the application had a tattoo or similar business license or permit suspended or revoked for a reason or reasons that would authorize the chief of police to revoke a permit under this chapter;

5. The applicant has complied with, furnished all information, documents certification required and meets the requirements set forth in Section 5.14.140;

6. The applicant has paid the requisite filing fee and fee for issuance of a permit to operate a tattoo establishment.

B. The fee for issuance of a permit to operate a tattoo establishment shall be two hundred and fifty dollars (\$250.00).

C. All permits issued under this section shall be kept on public display in a conspicuous place on the premises of the tattoo establishment.

(Ord. dated 5/5/08)

#### **5.14.160 Expiration of Permit Renewal Application Fee.**

A. Unless sooner revoked or suspended all permits issued to operate a tattoo establishment shall expire on the thirtieth day of June succeeding the date of issue thereof and the thirtieth day of June each year thereafter.

B. A permit may be renewed under the same terms and conditions as the issuance of an original permit upon the filing of an application in the same form as an original application and payment of the requisite application and permit fees; provided, however, in the event a permit is renewed the application fee paid shall be credited to the payment of the permit fee.

C. In the event an application for renewal of a permit is filed prior to the date of expiration of the permit then the permit shall not expire until it is renewed or until three business days after notice of denial of the application for renewal is sent to the applicant by the chief of police.

(Ord. dated 5/5/08)

#### **5.14.170 Revocation or suspension of permit.**

Any permit for a tattoo establishment may be revoked or suspended by the chief of police if the permit

holder or the permit holder's tattoo artist's agent under Section 5.14.140(K) or any employee or tattoo artist in his/her employ is involved in any violations of this chapter or commits or meets any of the following:

- A. Is convicted of a crime involving the unauthorized practice of the healing arts, sexual misconduct, obscenity or any offenses of prostitution, pandering or solicitation of a lewd or unlawful act;
- B. Uses or permits to be used on the premises any narcotic or any controlled substance as described in Connecticut General Statutes 21a-240 and 21a-242 to the extent or manner that such use is illegal;
- C. Fails to maintain standards prescribed by the State Department of Health, the health department of the city and the Bridgeport police department;
- D. Furnishes or makes any misleading or false statements or report in relation to this chapter;
- E. Refuses to submit to the chief of police any reports or refuses to make available to the chief of police any records required by the chief of police to investigate the establishment for purposes associated with this chapter;
- F. Fails or refuses to submit to an investigation or inspection by persons authorized by the city to conduct fire-, building-, health-, or law enforcement-related inspections;
- G. Fails to provide, maintain, equip and keep in a safe and sanitary condition the premises established for and used by clients and customers pursuant to minimum standards prescribed by the State Department of Health or the city health department;
- H. Employs any unpermitted tattoo artist to practice applying a tattoo to human skin in the tattoo establishment; or
- I. Violates any of the provisions of this chapter, or the rules and regulations established by the chief of police or the director of health pursuant to this chapter.

(Ord. dated 5/5/08)

### **Article III Tattoo Artists**

#### **5.14.180 Permit required.**

No person, including an applicant for a tattoo establishment permit, shall engage in the practice of the application of tattoos on human skin without first having obtained a tattoo artist permit from the chief of

police.

(Ord. dated 5/5/08)

#### **5.14.190 Filing of application Fee.**

Each applicant for a tattoo artist permit shall file an application with the chief of police and pay a filing fee of fifty dollars (\$50.00), which filing fee shall not be refundable.

(Ord. dated 5/5/08)

#### **5.14.200 Contents of application.**

The application for a tattoo artist permit shall be in writing, signed, sworn to by the applicant, and shall set forth, in a manner and form prescribed by the chief of police, the following requirements:

- A. The name and address of the applicant;
- B. The applicant's Social Security number;
- C. Applicant's height, weight, color of hair and eyes, and a full set of applicant's fingerprints (fingerprints to be taken by the police department);
- D. Written evidence that the applicant is at least eighteen (18) years of age;
- E. Business, occupation or employment history of the applicant for three years immediately preceding the date of application;
- F. Tattoo or similar business license or permit history in this or any other state of the applicant for the three years immediately preceding the date of the application and whether or not the applicant has had such license or permit denied, suspended or revoked and the reason or reasons therefore;
- G. Whether such applicant has ever been convicted of any crime except for minor traffic violations within the five years immediately preceding the date of application;
- H. Name and address of the recognized school attended, the dates attended and a copy of the diploma or certificate of graduation awarded to the applicant, showing the applicant is a tattoo artist as defined in this chapter and transcript that verifies graduation from said accredited school;
- I. Two portrait photographs of the applicant of at least two inches by two inches;

J. Authorization to the chief of police to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit; and

K. Such other information as may be required in order for the chief of police to make any determination required by this chapter..

(Ord. dated 5/5/08)

#### **5.14.210 Issuance of permit Fee.**

A. The chief of police shall issue a tattoo artist permit or notify the applicant of his/her denial within thirty (30) days after such application. A permit shall be issued upon finding:

1. That the applicant is at least eighteen (18) years of age;
2. The applicant is a tattoo artist as defined in this chapter;
3. That the applicant has not been convicted within five years immediately preceding the date of the application of a crime involving the unauthorized practice of the healing arts, sexual misconduct, obscenity, or any other offenses of prostitution, pandering or solicitation of a lewd or unlawful act;
4. The applicant has not in this or any other state within the three years immediately preceding the date of the application had a tattoo establishment or similar business license or permit suspended or revoked for a reason or reasons that would authorize the chief of police to revoke a permit under this chapter;
5. The applicant has complied with, furnished all information, documents and certificates required and meets the requirements set forth in Section 5.14.200; and
6. The applicant has paid the requisite application and permit fees.

B. The fee for a tattoo artist permit shall be one hundred dollars (\$100.00).

C. All permits issued under this section shall be carried on the person of or within immediate access to the permitted tattoo artist at all times the permitted tattoo artist is engaging in or carrying on the creation and application of tattoo's on human skin whether at a tattoo establishment or in an outcall tattoo service.

(Ord. dated 5/5/08)

#### **5.14.220 Expiration of permit Renewal Application Fee.**

A. Unless sooner revoked or suspended all tattoo artist permits shall expire on the thirtieth day of June,

succeeding the date of issue thereof and on the thirtieth day of June each year thereafter.

B. A permit may be renewed under the same terms and conditions as the issuance of an original permit upon the filing of an application and payment of the requisite application and permit fees.

C. In the event an application for renewal of a permit is filed prior to the date for expiration of the permit then the permit shall not expire until it is renewed or until three business days after notice of denial of the application for renewal is sent to the applicant by the chief of police.

(Ord. dated 5/5/08)

#### **5.14.230 Revocation or suspension of permit.**

Any tattoo artist permit may be revoked or suspended by the police if the permit holder is involved in violations of this chapter or commits or meets any of the following:

A. Is convicted of a crime involving the unauthorized practice of the healing arts, sexual misconduct, obscenity or any offenses of prostitution or pandering or solicitation of a lewd or unlawful act;

B. Uses any narcotic or any controlled drug as described in Connecticut General Statutes 21a-240 and 21a-242 to an extent or manner that such use is illegal;

C. Fails to maintain standards prescribed by the State Department of Health, the health department of the city and the Bridgeport police department or any other applicable statutes, ordinances, rules or regulations;

D. Furnishes or makes any misleading or false statements or report in relation to this chapter;

E. Refuses to submit to the chief of police any reports or refuses to make available to the chief of police any records required by the chief of police to investigate compliance with this chapter;

F. Employs any unpermitted tattoo artist;

G. Violates any of the provisions of this chapter, or the rules or regulations established by the chief of police or the director of health pursuant to this chapter.

(Ord. dated 5/5/08)

### **Chapter 5.16 BARBER SHOPS AND BEAUTY SALONS**

Sections:

5.16.010 Barber shop/beauty salon/hair braiding License fee.

**5.16.010 Barber shop/beauty salon/hair braiding License fee.**

A. The fee for the issuance of a license to operate a barber shop or beauty salon or an establishment which provides hair braiding services shall be one hundred and fifty dollars (\$150.00). Once issued a license to operate a barber shop or beauty salon, or an establishment which provides hair braiding services each licensee shall pay on or before June 1st of each subsequent year an annual license fee of one hundred and fifty dollars (\$150.00).

B. In the event that the reapplication for license and the receipt of payment for such license is not obtained by the department of health on or before June 1st, the license shall increase to three hundred dollars (\$300.00).

(Ord. dated 5/21/90 (part): prior code §§ 14-305, 19-10)

(Ord. dated 4/7/08; Ord. dated 11/3/08)

**Chapter 5.20**  
**BAZAARS AND RAFFLES**

Sections:

5.20.010 Definitions.

5.20.020 Qualifications Ticket sale.

5.20.030 Application for permit.

5.20.040 Investigation of applicant.

5.20.050 Kinds of permits.

5.20.060 Marketability of title to real property as prize under Class No. 6 permit.

5.20.070 Permit fees.

5.20.080 Prizes.

5.20.090 Equipment, expenses, Sunday bazaar or raffle prohibited Exception.

5.20.100 Advertising restricted.

5.20.110 Change in facts on application to be reported.

5.20.120 Revocation of permit.

5.20.130 Report regarding receipts, number and price of tickets sold, expenses, profit and list of prizes with a retail value of fifty dollars or more.

5.20.140 Examination of reports.

5.20.150 Regulations.

5.20.160 Exceptions for certain organizations.

5.20.170 Violation Penalty.

### **5.20.010 Definitions.**

Wherever used in this chapter, "bazaar" means a place maintained by a sponsoring organization for the disposal of merchandise awards by means of chance; "raffle" means an arrangement for raising money by the sale of tickets, certain among which, as determined by chance after the sale, entitle the holders to prizes; and "applicant" means the sponsoring organization.

(Prior code § 5-22)

### **5.20.020 Qualifications Ticket sale.**

No bazaar or raffle may be promoted, operated or conducted in the city after the effective date of the ordinance codified in this chapter unless it is sponsored and conducted exclusively by: (1) an officially recognized organization or association of veterans of any war in which the United States has been engaged, (2) a church or religious organization, (3) a civic or service club, (4) a fraternal or fraternal benefit society, (5) an educational or charitable organization, (6) an officially recognized volunteer fire company or (7) a political party or town committee thereof. Any such sponsoring organization shall have been organized in good faith and actively functioning as a nonprofit organization within the city for a period of not less than three years prior to its application for a permit. The promotion and operation of a bazaar or raffle shall be confined solely to the qualified members of the sponsoring organization and no such member may receive remuneration in any form for time or effort devoted to the promotion or operation of the bazaar or raffle. No person under the age of eighteen (18) years may promote, conduct,



operate or work at a bazaar or raffle and no person under the age of sixteen (16) years may sell or promote the sale of any raffle tickets, nor shall any sponsoring organization permit any person under the age of eighteen (18) to so promote, conduct or operate any bazaar or raffle or any person under the age of sixteen (16) to sell or promote the sale of such tickets. Any sponsoring organization having received a permit from the city may sell or promote the sale of such raffle tickets within the city and in any other town, city or borough which has adopted a bazaar and raffle law. All funds derived from any bazaar or raffle shall be used exclusively for the purpose stated in the application of the sponsoring organization as provided in Section 5.20.030.

(Prior code § 5-23)

### **5.20.030 Application for permit.**

A. Any organization desiring to operate a bazaar or raffle shall make application in duplicate, duly executed and verified, to the chief of police on a form prescribed by the commissioner of public safety, in which shall be stated:

1. The name and address of the applicant;
2. Facts relating to its incorporation or organization;
3. The names, titles and address of its officers;
4. The kind of bazaar or raffle intended to be held, operated and conducted by the applicant;
5. The place where such bazaar or raffle is intended to be conducted by the applicant under the permit applied for;
6. The date or dates and the time or times when such bazaar or raffle is intended to be conducted by the applicant under the permit applied for;
7. In the case of a raffle, the number and price of tickets intended to be sold;
8. The items of expense intended to be incurred or paid in connection with the holding, operating and conducting of such bazaar or raffle and the names and addresses of the persons to whom, and the purposes for which, they are to be paid;
9. The items of merchandise offered, the price to be paid by the organization therefor or the retail value of any prize donated, and the names and addresses of the persons from whom purchased or by whom donated;

10. The specific purposes to which the entire net proceeds of such bazaar or raffle are to be devoted and in what manner; and

11. Any other information which the commissioner of public safety reasonably requires for the protection of the public.

B. In each application there shall be designated three active members of the applicant under whom the bazaar or raffle described in the application is to be held, operated and conducted and to the application shall be appended a statement signed, under penalty of false statement, by such members so designated that they are electors of the city and will be responsible for the holding, operation and conduct of such bazaar or raffle in accordance with the terms of the permit and the provisions of said sections, and that the statements contained in the application are, to the best of their knowledge and belief, true.

(Ord. dated 12/21/92 § 75(a); prior code § 5-24)

#### **5.20.040 Investigation of applicant.**

The chief of police of the city shall make or cause to be made an investigation of the qualifications of the applicant and the facts stated in the application and, if he determines that the applicant is qualified to hold, operate and conduct a bazaar or raffle under the provisions of this chapter, that the members of the applicant designated in the application to hold, operate or conduct such bazaar or raffle are electors of such municipality, bona fide active members of the applicant and persons of good moral character and have never been convicted of a felony and that such bazaar or raffle is to be held, operated and conducted in accordance with the provisions of this chapter, he shall issue a permit to such applicant. Upon issuing such permit, the chief of police shall forward to the commissioner of public safety the duplicate of such application, together with the state's share of the application fee, if any.

(Ord. dated 12/21/92 § 75(a); prior code § 5-25)

#### **5.20.050 Kinds of permits.**

Permits under the provisions of this chapter shall be of six kinds. Class No. 1 permits shall allow the operation of a raffle which shall be consummated within three months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than fifteen thousand dollars (\$15,000.00). Class No. 2 permits shall allow the operation of a raffle which shall be consummated within two months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than two thousand dollars (\$2,000.00). Class No. 3 permits shall permit the operation of a bazaar for a period of not more than ten consecutive days, excluding legal holidays, Sundays and Holy Days on which the bazaar is not functioning. Any bazaar held under the authority of any such permit shall be held within six months of the granting of such permit. Class No. 4 permits shall allow the operation of a raffle which shall be consummated within one month of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than one hundred dollars (\$100.00).

Class No. 5 permits shall allow the operation of a raffle which shall be consummated within six months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than fifty thousand dollars (\$50,000.00). Class No. 6 permits shall allow the operation of a raffle which shall be consummated within nine months of the granting of the permit and the aggregate value of the prize or prizes offered shall be not more than one hundred thousand dollars (\$100,000.00), provided such permit is obtained on or before June 30, 1983, and the net proceeds of any raffle under a Class No. 6 permit shall be used to establish, maintain or otherwise support: (1) any private, nonprofit halfway house or group home licensed by or under contract with any state agency, (2) any sheltered workshop, rehabilitation center or educational or training program for handicapped persons approved by a state agency, (3) any nonprofit center for elderly persons, providing recreational, cultural and other leisure time activities, (4) any nonprofit, nondenominational, nonresidential youth recreational organization or program, or (5) any nondenominational, nonprofit youth recreational camp. No more than one Class No. 1 permit, one Class No. 3 permit, one Class No. 4 permit, one Class No. 5 permit, one Class No. 6 permit or three Class No. 2 permits shall be issued to any qualifying organization within any one calendar year. The aggregate value of prizes offered under any of such permits shall represent the amount paid by the applicant for the prize or prizes or the retail value of the same if donated.

(Prior code § 5-26)

#### **5.20.060 Marketability of title to real property as prize under Class No. 6 permit.**

The title to any real property which is the prize under a Class No. 6 permit conducted pursuant to Section 5.20.050 shall be marketable title subject only to land use restrictions imposed by statute, ordinance, regulation or private easement or covenant which create or impose restrictions on the use of the land and any buildings on such land provided such restrictions or encumbrances do not prohibit or otherwise prevent the use of the real property for the contemplated residential use as may be set forth in any publicity or other statements with regard to the raffle. The conveyance of the title to the winner of the raffle shall be a warranty deed, free and clear of any and all encumbrances, except for: (1) taxes assessed but not yet due and payable, (2) sewer, sidewalk and other municipal improvement assessments, provided that all current installments, including interest, shall be paid by the sponsoring organization, and (3) land use restrictions and encumbrances as provided in this section. Any sponsoring organization conducting a raffle under a Class No. 6 permit shall secure and furnish the winner with a title insurance policy which shall insure the title to the real property to be marketable and not subject to any exceptions or limitations other than those restrictions and encumbrances as provided in this section. If the prize is a newly constructed residence, the sponsoring organization shall provide the winner of the raffle with a properly issued certificate of occupancy.

(Prior code § 5-27)

#### **5.20.070 Permit fees.**

The fees to be charged for permits shall be as follows: a Class No. 1 permit, fifty dollars (\$50.00),

twenty-five dollars (\$25.00) to be retained by the city and twenty-five dollars (\$25.00) remitted to the state; a Class No. 2 permit, twenty dollars (\$20.00), ten dollars (\$10.00) to be retained by the city and ten dollars (\$10.00) to be remitted to the state; a Class No. 3 permit, twenty dollars (\$20.00) for each day of the bazaar, ten dollars (\$10.00) to be retained by the city and ten dollars (\$10.00) to be remitted to the state; a Class No. 4 permit, five dollars (\$5.00) to be retained by the city; a Class No. 5 permit, eighty dollars (\$80.00), forty dollars (\$40.00) to be retained by the city and forty dollars (\$40.00) remitted to the state, and a Class No. 6 permit, one hundred dollars (\$100.00), fifty dollars (\$50.00) to be retained by the city and fifty dollars (\$50.00) remitted to the state.

(Prior code § 5-28)

### **5.20.080 Prizes.**

All prizes given at any bazaar or raffle shall be merchandise, tangible personal property or a ticket, coupon or certificate, which shall not be refundable or transferable, entitled the winner to transportation on a common carrier by land, water or air and to any tour facilities provided in connection therewith, participation in a lottery conducted under Chapter 226 of the Connecticut General Statutes or, in the case of a raffle conducted under a Class No. 6 permit, real property. Cash prizes or prizes consisting of alcoholic liquor shall not be given nor shall any prize be redeemed or redeemable for cash, except tickets for a lottery conducted under Chapter 226 of the Connecticut General Statutes.

(Prior code § 5-29)

### **5.20.090 Equipment, expenses, Sunday bazaar or raffle prohibited Exception.**

No bazaar or raffle shall be conducted with any equipment except such as is owned absolutely or used without payment of any compensation therefor by the permittee or as is rented from a dealer in such equipment who has his principal place of business in this state and who has registered with the state police in such manner and on such form as the commissioner of public safety prescribes. No item of expense shall be incurred or paid in connection with the holding, operating or conducting of any bazaar or raffle pursuant to any permit issued under this chapter except such as are bona fide items of reasonable amount for goods, wares and merchandise furnished or service rendered, which are reasonably necessary to be purchased or furnished for the holding, operating or conducting thereof, and no commission, salary, compensation, reward or recompense whatever shall be paid or given, directly or indirectly, to any person holding, operating or conducting, or assisting in the holding, operation or conduct of, any such bazaar or raffle. No bazaar or raffle shall be held on Sunday except any bazaar or raffle held by a sponsoring organization meeting the qualifications of Section 5.20.020 and which observes the Sabbath on a day other than Sunday and actually refrains from work, labor or business on that day or which observes the Sabbath for the period commencing at sundown on Friday night and ending at sundown on Saturday night and actually refrains from work, labor or business during said period. Each raffle ticket shall have printed thereon the date and place of the raffle, the three most valuable prizes to be awarded and the total number of prizes to be awarded as specified on the form

prescribed in Section 5.20.030.

(Prior code § 5-30)

### **5.20.100 Advertising restricted.**

No bazaar or raffle to be conducted under any permit issued under the provisions of this chapter shall be advertised as to its location, the time when it is to be or has been held or the prizes awarded or to be awarded, by means of television or sound truck or by means of billboards, provided one sign, not exceeding twelve (12) square feet, may be displayed on the premises where the drawing or allotment of prizes is to be held and also where the prizes are or will be exhibited.

(Prior code § 5-31)

### **5.20.110 Change in facts on application to be reported.**

If there is any change in the facts set forth in the application for a permit subsequent to the making of such application, the applicant shall forthwith notify the authority granting such permit of such change, and such authority may, if it deems such action advisable in the public interest, revoke such permit.

(Prior code § 5-32)

### **5.20.120 Revocation of permit.**

The authority granting any permit under the provisions of this chapter shall immediately revoke the same for a violation of any provision of said sections and shall not issue any permit to such permittee within three years from the date of such violation.

(Prior code § 5-33)

### **5.20.130 Report regarding receipts, number and price of tickets sold, expenses, profit and list of prizes with a retail value of fifty dollars or more.**

Any sponsoring organization which holds, operates or conducts any bazaar or raffle, and its members who were in charge thereof, shall furnish to the chief of police of the city, a verified statement, in duplicate, showing: (1) the amount of the gross receipts derived from each bazaar or raffle, (2) in the case of a raffle, the number and price of tickets sold, (3) each item of expense incurred or paid, and each item of expenditure made or to be made and the name and address of each person to whom each such item has been or is to be paid, (4) the net profit derived from each bazaar or raffle and the uses to which the net profit has been or is to be applied, and (5) a list of prizes of a retail value of fifty dollars (\$50.00) or more offered or given with the amount paid for each prize purchased or the retail value for each prize donated and the names and addresses of the persons to whom the prizes were given. Such report shall be

furnished during the next succeeding month of January, April, July or October, whichever occurs first. The chief of police of the city shall forward the duplicate of such report to the commissioner of public safety, who shall keep it on file and available for public inspection for a period of one year thereafter. The sponsoring organization shall maintain and keep any books and records that may be necessary to substantiate the particulars of such report, which books and records shall be preserved for at least one year from the date of such report and shall be available for inspection. Such report shall be certified to under penalty of false statement by the three persons designated in the permit application as being responsible for the bazaar or raffle and, in the case of Class No. 1, Class No. 2 and Class No. 3 permits, by an accountant.

(Ord. dated 12/21/92 § 75(a); prior code § 5-34)

#### **5.20.140 Examination of reports.**

Each such report shall be examined by the chief of police and by the commissioner of public safety and shall be compared with the original application. Any violation of this chapter or administrative regulations issued pursuant thereto found therein shall be referred to the office of the state's attorney having jurisdiction over the municipality in which the organization is located and such office shall investigate and take such action as the facts require.

(Ord. dated 12/21/92 § 75(a); prior code § 5-35)

#### **5.20.150 Regulations.**

Any regulations adopted by the commissioner of public safety in accordance with the provisions of Chapter 54 of the Connecticut General Statutes are adopted. Such regulations shall have the effect of law.

(Prior code § 5-36)

#### **5.20.160 Exceptions for certain organizations.**

Notwithstanding the provisions of this chapter and the regulations adopted thereunder, any organized church, volunteer fire company or veterans organization or association conducting a bazaar or raffle: (1) may have the actual drawing of the raffle in a municipality other than the municipality which grants the permit, provided the chief executive officer of the other municipality has in writing approved such drawing; (2) may be permitted to redeem prizes in cash; (3) shall be exempt from the requirement of preserving unsold raffle tickets beyond ninety (90) days after the conclusion of the holding, operating and conducting of such bazaar or raffle and shall be permitted to dispose of unclaimed prizes after such ninety (90) days; and (4) may file a reconciliation of expenditures and receipts signed by an officer in lieu of an accountant.

(Prior code § 5-37)

### **5.20.170 Violation Penalty.**

Any person who violates any provision of this chapter, or who makes any false statement in any application for a permit or in any report required by the provisions of said sections shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than one year or be both fined and imprisoned.

(Prior code § 5-38)

## **Chapter 5.24 AUCTIONS AND AUCTIONEERS**

Sections:

5.24.010 License Required.

5.24.020 License Fee Issuance Term.

5.24.030 Display of flag by licensee required.

5.24.040 Exemption of certain sales and persons from requirements of Sections 5.24.010 through 5.24.030.

5.24.050 Restriction on hours of sales Generally.

5.24.060 Restriction on hours of sales Permits for after-hour sales by charitable, fraternal and other groups.

5.24.070 Construction of chapter.

### **5.24.010 License Required.**

No person shall expose for sale by auction any goods, wares or merchandise, or articles of any description whatsoever of which he is not the bona fide owner, without first obtaining from the chief of police a license for carrying on the business of an auctioneer.

(Ord. dated 12/21/92 § 75(a); prior code § 7-1)

### **5.24.020 License Fee Issuance Term.**

The chief of police shall, upon the payment of seventy-five dollars (\$75.00) for the use of the city, issue to any person whom he shall find to be discreet, honest and temperate a numbered license to carry on the business of an auctioneer for a term of one year from the date thereof.

(Ord. dated 12/21/92 § 75(a); prior code § 7-2)

(Ord. dated 11/3/08)

#### **5.24.030 Display of flag by licensee required.**

Each person holding an auctioneer's license as required by this chapter shall have a red flag on which in white letters shall be the word "Auctioneer" and in white figures the number of the license of the person owning such flag. Such flag shall be displayed whenever and wherever such person shall conduct any sale provided in Section 5.24.010.

(Prior code § 7-3)

#### **5.24.040 Exemption of certain sales and persons from requirements of Sections 5.24.010 through 5.24.030.**

The provisions of Sections 5.24.010 through 5.24.030 shall not apply to sales under process of court or by executors, administrators or trustees, nor require the payment of a fee by any person when exempted therefrom by the General Statutes.

(Prior code § 7-4)

#### **5.24.050 Restriction on hours of sales Generally.**

Except as provided in this chapter, no person shall sell or dispose of any goods, wares or merchandise at public auction before nine a.m. or after ten p.m. of any day.

(Prior code § 7-5)

#### **5.24.060 Restriction on hours of sales Permits for after-hour sales by charitable, fraternal and other groups.**

Notwithstanding the prohibition of Section 5.24.050 and subject to the limitations contained in this chapter, a public auction for the sale of goods, wares and merchandise may be held after six p.m. provided the auction is sponsored and conducted exclusively by a charitable, civic, educational, fraternal, veterans, religious, grange or volunteer fire department organization; and such organization



shall first obtain a written permit therefor from the chief of police upon the payment of a permit fee of one dollar (\$1.00). No such permit shall be issued to any organization unless it shall have been organized for a period of not less than two years prior to the date of application for such permit, and unless the promotion and operation of the auction, except for the employment of an auctioneer as provided in this section, shall be confined to the duly qualified members of the sponsoring organization or group. In the conduct and operation of any auction after six p.m. under the permit provided for in this section, the permittee may engage the services of not more than one auctioneer who shall have been duly licensed under this chapter. The chief of police shall not issue more than three permits to the same organization to conduct an auction after six p.m. in any one calendar year.

(Ord. dated 12/21/92 § 75(a); prior code § 7-6)

### **5.24.070 Construction of chapter.**

This chapter shall not be construed to conflict with the provisions of Section 21-3 of the General Statutes and the restrictions and limitations therein contained with relation to the sale of gold or gold-plated ware, silver or silver-plated ware, platinum ware, watches, jewelry, precious stones, cut glass or chinaware.

(Prior code § 7-7)

## **Chapter 5.28 CLOSING-OUT SALES**

Sections:

### **Article I. In General**

5.28.010 Definitions.

5.28.020 Inventory restrictions on going-out-of-business and removal-of-business sales.

5.28.030 Restrictions on licensees generally.

5.28.040 Discontinuance of business after sale.

5.28.050 Persons exempt from provisions of chapter.

5.28.060 Enforcement of chapter.

### **Article II. Licenses**

5.28.070 License required.

5.28.080 Applications Contents.

5.28.090 Fees.

5.28.100 Term.

5.28.110 Extension.

5.28.120 Conditions.

5.28.130 Waiting period for issuance of new license for going-out-of-business and removal-of-business sales.

5.28.140 Revocation or suspension.

## **Article I. In General**

### **5.28.010 Definitions.**

For the purpose of this chapter, the following words and phrases as used herein are defined as follows:

"Fire and other altered goods sale" means a sale held out in such a manner as to reasonably cause the public to believe that the sale will offer goods damaged or altered by fire, smoke, water or other means.

"Going-out-of-business sale" means a sale held out in such manner as to reasonably cause the public to believe that upon the disposal of the stock of goods on hand the business will cease and be discontinued, including, but not limited to, the following sales: adjuster's; adjustment; alteration; assignee's; bankrupt; benefit of creditors; building coming down; closing; creditors' committee; creditors'; end; final days; forced out; forced out of business; last days; lease expires; loss of lease; mortgage; receiver's; trustee's; quitting business or other such type of sale having a similar purpose to those specifically described in this chapter.

"Licensing authority" means the chief of police of the city.

"Liquidation sale" means a sale held out in such manner as reasonably to cause the public to believe that the merchandise offered for sale was acquired by the licensee from a bankrupt, insolvent, assignee, liquidator, adjuster, administrator, trustee, executor or receiver, or that such merchandise was acquired by the licensee from a person who was or is liquidating or closing out his business or a particular part or

department thereof or who was or is being forced out of business.

"Merchandise" means any goods, wares, merchandise or other property capable of being the object of a sale regulated under this chapter.

"Removal-of-business sale" means a sale held out in such a manner as to reasonably cause the public to believe that the person conducting the sale will cease and discontinue business at the place of sale upon disposal of the stock of goods on hand and will then move to and resume business at a new location in the city.

(Ord. dated 12/21/92 § 75(a); prior code § 19-102)

### **5.28.020 Inventory restrictions on going-out-of-business and removal-of-business sales.**

If the sale to be conducted under the license required by this chapter is a going-out-of-business sale or a removal-of-business sale, the inventory shall not include merchandise ordered in contemplation of the conduct of the sale licensed under this chapter; and any unusual purchase or addition to the stock of goods of the applicant within a period of ninety (90) days prior to the date of the application for a license under this chapter shall be deemed to be of such character. During the licensed closing-out sale, no addition shall be made to the stock of merchandise set forth in the inventory and nothing shall be offered for sale or sold at such sale which is in addition to that listed in the inventory or which has been acquired on a consignment basis.

(Prior code § 19-103)

### **5.28.030 Restrictions on licensees generally.**

A licensee under this chapter shall:

A. Adhere to Inventory. Make no addition whatsoever, during the period of the licensed sale, to the stock of goods set forth in the inventory attached to the application for license;

B. Advertising Declaration. Declare in his advertising of such sale the total retail value of the merchandise set forth in such inventory which is being offered for sale under such license and shall include in all advertising copy the license number issued by the licensing authority;

C. Advertise Properly. Refrain from employing any untrue, deceptive or misleading advertising;

D. Adhere to Advertising. Conduct the licensed sale in strict conformity with any advertising or holding out incident thereto;

E. Keep Duplicate Inventory. Keep available at the place of sale a duplicate copy of the inventory submitted with the application and present such duplicate to inspecting officials upon request;

F. Segregate Noninventoried Goods. Keep any other goods separate and apart from the goods listed in the filed inventory as being objects of sale and make such distinction clear to the public by placing tags on all inventoried goods in and about the place of sale apprising the public of the status of all such goods;

G. Daily Inventory. Keep records of daily changes in inventory during the sale period and make such records available to the licensing authority upon request.

(Prior code § 19-104)

#### **5.28.040 Discontinuance of business after sale.**

No person shall, upon the conclusion of any sale as defined in Section 5.28.010, continue to conduct a business or business operation of the same or similar nature to that for the discontinuance of which such license was issued at the same premises nor resume such business at the same premises within one year after the conclusion of such sale.

(Prior code § 19-105)

#### **5.28.050 Persons exempt from provisions of chapter.**

The provisions of this chapter shall not apply to or affect the following persons:

A. Persons acting pursuant to an order or process of a court of competent jurisdiction;

B. Persons acting in accordance with their powers and duties as public officials;

C. Duly licensed auctioneers, selling at auction;

D. Any publisher of a newspaper, magazine or other publication who furnishes in good faith, any advertisement without knowledge of its false, deceptive or misleading character, or without knowledge that the provisions of this chapter have not been complied with;

E. Person who are regularly engaged, in whole or in part, in the business of purchasing damaged or unclaimed merchandise from railroad and transportation companies and of selling the same at retail and whose advertising clearly indicates the regular and continuous, rather than the periodic and intermittent, operation of such business; provided, however, that this exception shall extend only to the sale of such merchandise.

(Prior code § 19-106)

### **5.28.060 Enforcement of chapter.**

The licensing authority shall verify the details of the inventory filed in connection with an application for a license issued pursuant to this chapter and shall also verify the items of merchandise sold during any sale under such license, and it is unlawful for any person to whom a license for a closing-out sale has been issued to refuse to furnish to such authority on demand or to any person designated by him for that purpose all the facts connected with the stock on hand or any other information which he may require in the enforcement of this chapter.

(Prior code § 19-107)

## **Article II. Licenses**

### **5.28.070 License required.**

No person shall conduct any sale of merchandise at retail in the city which shall be advertised or held out by any means as a going-out-of-business sale, a removal-of-business sale, a fire or other altered stock sale or a liquidation sale, as such terms are defined in this chapter; and no person shall advertise any such sale unless and until a license shall have been issued to such person by the licensing authority provided in this chapter, which license shall be known as a "closing-out-sale license." The advertising of such sale referred to in this chapter shall include any advertisement or notice thereof appearing in any newspaper, magazine or other publication, or in any handbill, poster, bill, circular, pamphlet, letter, sign, placard, card, label or telegram, or broadcast as a part of any radio or television program.

(Prior code § 19-114)

### **5.28.080 Application Contents.**

Application for a license required by this chapter shall be made in writing to the licensing authority and shall contain the following information:

- A. The names and addresses of the persons to be licensed, including the names of all partners and, if a corporation, the names and addresses of the officers and directors thereof;
- B. The name and address of the owner of the merchandise to be sold under such license if the applicant is acting as an agent of the owner;
- C. An attached inventory containing a complete and accurate list of the merchandise on hand which is to

be sold under such license which shall set forth the cost price of the enumerated articles, the manufacturer's name and stock number, the date of the purchase and the name of the person from whom such articles were purchased. Such inventory shall have an affidavit attached thereto from which it shall appear that the information set forth therein is true to the knowledge of the applicant;

D. The place at which the sale is to be conducted;

E. The date and the period of time during which the sale is to continue;

F. A full and complete statement of the facts in regard to the sale and the manner in which the sale will be conducted;

G. The means to be employed in advertising the sale together with the proposed content of any advertisements;

H. Facts establishing that all taxes previously levied on such merchandise by the city have been paid, and no license shall be issued for the closing-out sale thereof until any tax so payable to the city thereon shall have been paid.

(Prior code § 19-115)

### **5.28.090 Fees.**

A. The license fee for the license required by this chapter shall be as follows:

1. For a period not exceeding fifteen (15) days . . . . \$ 50.00

2. For a period not exceeding thirty (30) days . . . . \$100.00

3. For a period not exceeding sixty (60) days . . . . \$150.00

4. For a period not exceeding ninety (90) days . . . . \$200.00

B. In each instance a further fee of two dollars (\$2.00) per thousand dollars (\$1,000.00) of the cost of the merchandise to be sold under such license as set forth in the inventory shall be filed with the application for the license.

(Prior code § 19-116)

(Ord. dated 11/3/08)

**5.28.100 Term.**

The license issued under this chapter shall be for such period as may be requested by the applicant in his application for such licensee, not exceeding ninety (90) successive days, Sundays and holidays excluded, from the date of the issuance of such license. If a license shall have been issued for a period less than such maximum license period, such license may be extended on application of the licensee for a further period which, with the original license period, will not exceed such maximum license period upon payment of an additional license fee which shall be the difference between the license fee previously paid under this chapter if the original license period had extended to the date to which the same shall be extended.

(Prior code § 19-117)

**5.28.110 Extension.**

The period of time during which a sale may be conducted under a license for a closing-out sale may be extended by the licensing authority beyond the ninety-day license period if, at any time during the term of the license, a written application for such extension, duly verified by affidavit of the applicant, shall be filed by such licensee with the licensing authority. Such application shall state the amount of merchandise listed in the original inventory which shall have been sold since the issuance of the license and the merchandise contained in the original inventory which still remains in the possession of the applicant for sale, and shall state the length of time for which an extension is requested. No extension of the license shall be granted if any merchandise shall have been added to that listed in the inventory, and the applicant shall satisfy the licensing authority by affidavit or otherwise as directed by him that no merchandise has been added to such stock since the date of issuance of the license. If the licensing authority shall determine that a further period of time is necessary to dispose of the unsold merchandise listed in the inventory, he may grant a further extension of not exceeding ten days from the expiration of the ninety-day license period on the payment of an additional license fee of five dollars (\$5.00) per day for the period of such extension.

(Prior code § 19-118)

**5.28.120 Conditions.**

Under any license issued under this chapter, the licensee shall be permitted to conduct only the type of sale described by him in his application for such license and shall be authorized to sell, under such license, only the merchandise described in the inventory attached to the application.

(Prior code § 19-119)

**5.28.130 Waiting period for issuance of new license for going-out-of-business and removal-of-business sales.**

Any person who has held a going-out-of-business or a removal-of-business sale at the location stated in his application under a license issued under the provisions of this chapter within a period of one year last past from the date of such application shall not be granted a license for the conduct of either of such type of sales at such location.

(Prior code § 19-120)

### **5.28.140 Revocation or suspension.**

The licensing authority may at any time revoke or suspend any license granted under the provisions of this chapter if any licensee shall, in violation of this chapter, offer any merchandise for sale in addition to that listed in the inventory attached to his application or shall otherwise violate any of the provisions of this chapter.

(Prior code § 19-121)

## **Chapter 5.32 DRY CLEANERS**

Sections:

### **Article I. In General**

5.32.010 Definitions.

5.32.020 Inspection of premises.

5.32.030 Certificate as to health of employees.

5.32.040 Employment of certain individuals prohibited.

5.32.050 Continuous system equipment.

5.32.060 Requirements as to retail deliveries.

5.32.070 Collection requirements.

5.32.080 Equipment maintenance requirements.

5.32.090 Abatement of unsanitary conditions.



5.32.100 Fumigation of certain articles required.

## Article II. Licenses Generally

5.32.110 License required.

5.32.120 Application Contents Accompanying document.

5.32.130 Issuance Generally.

5.32.140 Issuance Restricted to certain businesses.

5.32.150 Fees Expiration.

5.32.160 Display of license Required at place of business.

5.32.170 Display of license Number required on delivery vehicles.

5.32.180 Revocation.

## Article III. Self-Service Units

5.32.190 License required.

5.32.200 Location restrictions.

5.32.210 Equipment Attendant to be present.

5.32.220 Authority of fire marshal to pass on competency of attendants.

5.32.230 Compliance with safety regulations required.

5.32.240 Operation on Sunday prohibited.

5.32.250 Operation in room containing open flame prohibited.

5.32.260 Emission of exhaust fumes over sidewalk prohibited.

5.32.270 Revocation of license.

## 5.32.280 Supplementary regulations.

### **Article I. In General**

#### **5.32.010 Definitions.**

Terms used in this chapter shall be construed as follows:

"Bobtail cleaner" means any person who collects articles of clothing, wearing apparel or household furnishings to be dry-cleaned, renovated and/or pressed and brings the same to a plant to be worked upon, in which plant such individual has no proprietary interest.

"Employee" means any person working in or about a plant or press-shop and who comes in contact with the clothing, wearing apparel or household furnishings entrusted to said plant or press-shop for such services as they are commonly known to render.

"Plant" means and includes all premises or portions thereof wherein the business of cleaning, dyeing, pressing, altering, mending or sponging of clothing, wearing apparel or any household furnishings that are cleaned or renovated by the dry-cleaning method is conducted for fee, charge, hire or otherwise.

"Press-shop" means and includes all premises or any portion thereof wherein the business of pressing, altering, mending or sponging of clothing, wearing apparel or any household furnishing to be handled is conducted for fee, charge, hire or otherwise.

(Prior code § 17-13)

#### **5.32.020 Inspection of premises.**

All plants, press-shops or other places engaged in a business for which a license is required by Article II of this chapter shall be subject to the inspection of and shall be regularly inspected by the director of health and social services or the sanitary inspectors to determine the sanitary conditions thereof.

(Ord. dated 12/21/92 § 75(h); prior code § 17-14)

#### **5.32.030 Certificate as to health of employees.**

Upon demand of the director of health and social services upon the owner, or person in charge of a place of business required to be licensed under Article II of this chapter, a proper certificate of the health of the employees thereof shall be furnished, which certificate shall be signed by a reputable physician of the city, stating whether or not any of such employees have been, within thirty (30) days prior to making

of such certificate, afflicted with any communicable disease or any form of venereal disease. Whenever any employee of any plant or press-shop shall be confined to his home with sickness, he shall, before returning to his employment, furnish a certificate, signed by a reputable physician of the city, stating that he is free of any communicable disease, which certificate the employer shall immediately file with the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 17-15)

#### **5.32.040 Employment of certain individuals prohibited.**

No owner or agent of a plant or press-shop shall knowingly permit any person suffering with a communicable disease or any form of venereal disease to be employed therein, nor shall any person who, to his own knowledge, is suffering from any such disease work therein in any capacity.

(Prior code § 17-16)

#### **5.32.050 Continuous system equipment.**

All dry-cleaning plants must be equipped with a continuous system or its equal.

(Prior code § 17-17)

#### **5.32.060 Requirements as to retail deliveries.**

All retail deliveries of clothing, wearing apparel or household furnishings shall be individually boxed or bagged, and there shall be stamped on each box or bag the license number of the licensee as provided by this chapter.

(Prior code § 17-18)

#### **5.32.070 Collection requirements.**

All collections of articles of clothing, wearing apparel or household furnishings received for dry cleaning, renovating and/or pressing from any place of collection shall be contained in individual bags or be individually wrapped so that at no time shall any of such articles from one such place be intermingled with those from another place.

(Prior code § 17-19)

#### **5.32.080 Equipment maintenance requirements.**

The sides, ends and bottom of all washers and dry-cleaning machines, and all pressing machines, spotting boards, wash tables, tubs, brushes and other equipment shall be kept free from accumulations of scale, dirt or dust. Pads used on pressing machines shall be replaced before they have become unduly soiled. All tumblers and drying rooms and the interior of trucks, wagons and other vehicles used in the delivery of clothes, wearing apparel or household furnishings shall be kept free from an excessive amount of dust and dirt; and all such vehicles shall be kept closed at all times except when articles are being placed therein or taken therefrom.

(Prior code § 17-20)

### **5.32.090 Abatement of unsanitary conditions.**

If, upon any inspection as provided in this chapter, it shall be determined by the director of health and social services that there are any unsanitary conditions in the management of any business required to be licensed under Article II of this chapter or practices or conditions which may cause the spread of disease, he shall make such reasonable orders and regulations for the abatement thereof as will properly protect the public health.

(Ord. dated 12/21/92 § 75(h); prior code § 17-21)

### **5.32.100 Fumigation of certain articles required.**

The director of health and social services is empowered to require the fumigation of any clothing, wearing apparel or household furnishings, or any other articles handled in any such business, wherever he shall determine that it is necessary for the protection of the public health.

(Ord. dated 12/21/92 § 75(h); prior code § 17-22)

## **Article II. Licenses Generally**

### **5.32.110 License required.**

It is unlawful for any person to engage in the business of dry cleaning, renovating and/or pressing of clothing, wearing apparel or household furnishings, or to solicit any such business, or to engage in the business of bobtail cleaning without first obtaining a license from the director of health and social services to do so.

(Ord. dated 12/21//92 § 75(h); prior code § 17-29)

### **5.32.120 Application Contents Accompanying document.**

The application for a license required by this article shall be on forms to be approved by the director of health and social services and shall be signed by the person applying for such license and shall state the name under which such business is to be operated, the name of the owner, the location of the main office thereof and the location of the place where the work is to be done. Such application shall be accompanied with a certificate, signed by a reputable physician of the city, stating whether or not any of the applicant's employees have been, within thirty (30) days prior to the date of such certificate, afflicted with any communicable disease or any form of venereal disease.

(Ord. dated 12/21/92 § 75(h); prior code § 17-30)

### **5.32.130 Issuance Generally.**

When the director of health and social services shall determine that the applicant for a license required by this article has complied with the provisions of this chapter, the sanitary requirements of the city and the statutes of the state, he shall issue a license, on a form to be approved by him, stating that the licensee has complied with the provisions of this chapter.

(Ord. dated 12/21/92 § 75(h); prior code § 17-31)

### **5.32.140 Issuance Restricted to certain businesses.**

No license required by this article shall be issued to any person engaged in the business of dry cleaning, renovating and/or pressing of any articles of clothing, wearing apparel or household furnishings unless the articles are actually dry-cleaned, renovated and/or pressed within the limits of the city and under the direct control and supervision of the director of health and social services or his representative, in accordance with the provisions of this chapter.

(Ord. dated 12/21/92 § 75(h); prior code § 17-32)

### **5.32.150 Fees Expiration.**

Upon the issuance of the license as provided for in this article, the applicant shall pay a fee as follows to the clerk of the department of health and social services: for each plant, fifty dollars (\$50.00); for each press-shop, two dollars (\$2.00); and for each bobtail cleaner, fifty dollars (\$50.00). Such fees are to be paid each year or part of a year in advance. The license so issued shall expire within one year from date of issuance and shall not be transferable.

(Prior code § 17-33)

(Ord. dated 11/3/08)

### **5.32.160 Display of license Required at place of business.**

The license required by this article shall be conspicuously displayed at the licensee's principal place of business.

(Prior code § 17-34)

### **5.32.170 Display of license Number required on delivery vehicles.**

All delivery vehicles of any plant or press-shop, engaged in the business of dry cleaning, renovating and/or pressing of any articles of clothing, wearing apparel or household furnishings, shall display in a conspicuous place on such vehicle the license number as issued by the director of health and social services. Each bobtail cleaner shall conspicuously display on the vehicle used by him his name and license number and in addition the name and license number of the plant to which he brings articles of clothing, wearing apparel and household furnishings to be cleaned, renovated and/or pressed.

(Ord. 12/21/92 § 75(h); prior code § 17-35)

### **5.32.180 Revocation.**

If any person holding a license under this article shall fail to comply with the provisions of this chapter, or shall make any false statements as to any facts or conditions required by it, or shall fail or refuse to comply with any order or regulation made by the director of health and social services as provided by this chapter, such license shall be revoked by the director of health and social services.

(Ord. dated 12/21/92 § 75(h); prior code § 17-36)

## **Article III. Self-Service Units**

### **5.32.190 License required.**

It is unlawful for any person to engage in a self-service or coin-operated dry-cleaning business without first obtaining from the local fire marshal an annual license which shall expire on April 1st of each year. When the fire marshal shall determine that such applicant has complied with the provisions of this article, he shall issue a license, on a form approved by him, stating that the licensee has complied with the provisions of this article. Such license shall be conspicuously displayed at the licensee's place of business with the name of the owner, attendant and/or operator.

(Prior code § 17-44)

### **5.32.200 Location restrictions.**

Self-service or coin-operated dry-cleaning units shall be installed only within a one-story building at a first-story level and in no case below the first-story level.

(Prior code § 17-45)

### **5.32.210 Equipment Attendant to be present.**

The equipment in premises containing self-service or coin-operated dry-cleaning units shall have proper and necessary protection measures for the public safety and always be in working order. During business hours there shall be an attendant on the premises at all times who shall be competent and familiar with the equipment and safety measures to protect the public.

(Prior code § 17-46)

### **5.32.220 Authority of fire marshal to pass on competency of attendants.**

The local fire marshal shall be empowered to pass on whether the attendant and/or operator meets the qualifications of being competent and familiar with the equipment on premises containing self-service or coin-operated dry-cleaning units; and if he so qualifies, he shall be so certified by the local fire marshal. An attendant and/or operator must first qualify under this section before he may be considered an attendant and/or operator.

(Prior code § 17-47)

### **5.32.230 Compliance with safety regulations required.**

Any person engaged in the business of operating a self-service or coin-operated dry-cleaning business shall comply with all laws of the state, and the ordinances, rules and regulations of the city and its duly authorized officers relating to health, nuisance, safety, zoning, fire, streets and sidewalks.

(Prior code § 17-48)

### **5.32.240 Operation on Sunday prohibited.**

There shall be no business transacted on premises containing self-service or coin-operated dry-cleaning units on Sunday.

(Prior code § 17-49)

### **5.32.250 Operation in room containing open flame prohibited.**

No dry-cleaning machine covered by this article shall be operated in any room wherein there is an open flame of any sort.

(Prior code § 17-50)

### **5.32.260 Emission of exhaust fumes over sidewalk prohibited.**

No exhaust fumes from a self-service or coin-operated dry-cleaning unit shall be emitted over any sidewalk.

(Prior code § 17-51)

### **5.32.270 Revocation of license.**

If any person holding a license under this article shall fail to comply with this article, such license may be revoked by the local fire marshal.

(Prior code § 17-52)

### **5.32.280 Supplementary regulations.**

The provisions contained in this article shall be in addition to the rules and regulations issued by the state fire marshal on August 8, 1961, labeled Rules and Regulations Concerning Dry Cleaning and Dry Dyeing.

(Prior code § 17-53)

## **Chapter 5.36 PUBLIC AMUSEMENTS**

Sections:

5.36.010 License required for use of buildings for public amusement.

5.36.020 License fees.

5.36.030 Duty of chief of police where license has not been obtained.

5.36.040 License required for outdoor exhibitions.



5.36.050 Outdoor exhibition license fee.

5.36.060 Exemption from payment of license fee.

5.36.070 Revocation.

**5.36.010 License required for use of buildings for public amusement.**

No person as owner, occupant, lessee or agent of any building shall rent, lease or use such building or any part thereof or permit it to be used for the production or display of any sport, public amusement or exhibition, musical, operatic, dramatic, theatrical or pictorial performance or for public dancing without a written license previously obtained from the chief of police with the written approval of the mayor.

(Ord. dated 12/21/92 § 75(a); prior code § 5-15)

**5.36.020 License fees.**

The following sums shall be charged for licenses required by Section 5.36.010:

A. For each exhibition of any circus or menagerie . . . . \$100.00.

B. For all places where any other form of public amusement or exhibition is given:

1. Where the seating capacity is less than four hundred (400), per year . . . . 100.00

Or at the option of the person in charge, per night . . . . 10.00

2. Where the seating capacity is more than four hundred (400), per year . . . . 150.00

Or at the option of the person in charge, per night . . . . 10.00

3. Where the seating capacity is more than seven hundred (700) and less than twelve hundred (1,200), per year . . . . 200.00

Or at the option of the person in charge, per night . . . . 20.00

4. Where the seating capacity is more than twelve hundred (1,200), per year . . . . 300.00

Or at the option of the person in charge, per night . . . . 30.00

C. In case of dispute the mayor shall determine the seating capacity of any such place, and his decision shall be final and conclusive.

(Prior code § 5-16)

(Ord. dated 11/3/08)

### **5.36.030 Duty of chief of police where license has not been obtained.**

If any person attempts to give any production or display of any sport, public amusement or exhibition, or any musical, operatic, dramatic, theatrical or pictorial performance, or any public dance, without the license required under Section 5.36.010 or after a revocation or suspension of such a license, it shall be the duty of the chief of police to cause the same to be suspended and all persons in attendance thereon to be dispersed.

(Ord. dated 12/21/92 § 75(a); prior code § 5-17)

### **5.36.040 License required for outdoor exhibitions.**

No person shall give an outdoor exhibition, the intention or nature of which shall be to attract crowds, within the fire limits of the city without first securing a license for the same from the chief of police. This section shall in no way apply to street parades.

(Ord. dated 12/21/92 § 75(a); prior code § 5-18)

### **5.36.050 Outdoor exhibition license fee.**

The fee for an outdoor exhibition license required by Section 5.36.040 shall be one hundred dollars (\$100.00).

(Prior code § 5-19)

(Ord. dated 11/3/08)

### **5.36.060 Exemption from payment of license fee.**

The chief of police may, with the consent of the mayor, grant licenses for any exhibition free of charge for such license when the proceeds of such exhibition are to be devoted to charitable, literary or religious purposes.

(Ord. dated 12/21/92 § 75(a); prior code § 5-20)

### **5.36.070 Revocation.**

If at any time it shall appear to the chief of police that public safety so requires, or he finds that any city ordinance has been or is being violated, the chief may, with the written approval of the mayor, revoke or suspend any license issued pursuant to this chapter by giving notice to the licensee.

(Ord. dated 12/21/92 § 75(a); prior code § 5-21)

## **Chapter 5.40 MECHANICAL AND ELECTRONIC GAMES**

Sections:

5.40.010 Regulation of mechanical and electronic games and other games.

### **5.40.010 Regulation of mechanical and electronic games and other games.**

A. Definitions. As used in this chapter the following words shall have the following respective meanings:

"Mechanical and electronic games and other games" means any machine, apparatus, device or mechanism which may be operated or played upon the placing or depositing therein of any coin, check, token, slug, ball or any other article or device or by paying therefor either in advance of or after use, involving in its use either skill or chance including, but not limited to, pinball machines, electronic video games, automatic amusement devices or machines that release balls, or machines that are operated to register a score or tally of any kind.

"School" means any educational institution, public, private, secular or parochial which offers instruction of high school grade or below and which is accredited by the Department of Board of Education of the state of Connecticut.

B. Hours of Operation for Minors Under Eighteen (18) Years of Age. No owner, operator, employee thereof or person in charge shall allow any minor under eighteen (18) years of age to play or use any such mechanical, electronic game or other games during the academic school year for the Bridgeport Public Schools between the hours of seven a.m. and three p.m. except during school holidays and on Saturday and Sunday.

C. Violation Penalty. A violation of any provision of this chapter or any condition caused or permitted to exist in violation of any of the provisions of this chapter shall be fined one hundred dollars (\$100.00) per occurrence.

(Prior code § 5-6)

## **Chapter 5.44 NEWSPAPERS AND MAGAZINES**

Sections:

5.44.010 Permit for sale in public places Required.

5.44.020 Permit not to be issued to minors under ten years of age.

5.44.030 Wearing of badge issued concurrently with permit required.

5.44.040 Use of licenses by minors during certain hours restricted.

5.44.050 Penalty for violation of Sections 5.44.010 through 5.44.040.

5.44.060 Stands, racks and display cases License required.

5.44.070 Stands, racks and display cases License fees.

5.44.080 Stands, racks and display cases Restrictions generally Authority of chief to revoke licenses.

### **5.44.010 Permit for sale in public places Required.**

No person shall sell, attempt to sell, exhibit for sale or have in his possession with intent to sell, newspapers, magazines or periodicals, or similar merchandise of any kind whatsoever upon the streets or other public places, unless there shall have been granted to such person by the chief of police a written permit licensing such person to sell the articles of merchandise specified in this section.

(Ord. dated 12/21/92 § 75(a); prior code § 19-21)

### **5.44.020 Permit not to be issued to minors under ten years of age.**

No permit required by Section 5.44.010 shall be issued to any minor under the age of ten years.

(Prior code § 19-22)

### **5.44.030 Wearing of badge issued concurrently with permit required.**

No person shall sell, attempt to sell, exhibit for sale or have in his possession with intent to sell, newspapers, magazines or periodicals, or similar merchandise of any kind whatsoever upon the streets or other public places, unless such person licensed pursuant to Section 5.44.010 shall wear in plain sight, upon the breast, a metal badge, to be issued with the permit.

(Prior code § 19-23)

#### **5.44.040 Use of licenses by minors during certain hours restricted.**

Minors under sixteen (16) years of age shall not use licenses required by Section 5.44.010 between the hours of eight p.m. and five a.m., except from the last Sunday of April to the last Sunday in September when such hours shall be nine p.m. to five a.m., nor during the hours that public schools are in session.

(Prior code § 19-24)

#### **5.44.050 Penalty for violation of Sections 5.44.010 through 5.44.040.**

Any person who shall violate any of the provisions of Sections 5.44.010 through 5.44.040 or who shall fail to deliver up the metal badge when required to do so by the chief of police shall, upon conviction, be fined not more than ten dollars (\$10.00).

(Ord. dated 12/21/92 § 75(a); prior code § 19-25)

#### **5.44.060 Stands, racks and display cases License required.**

No person shall place, station or maintain any stand, rack or display case in, upon or along any street or sidewalk for the purpose of selling or offering for sale any newspapers or periodicals, without first annually obtaining a license from the chief of police, which license shall not be issued unless all the terms of Sections 5.44.010 through 5.44.040 are complied with.

(Ord. dated 12/21/92 § 75(a); prior code § 19-26)

#### **5.44.070 Stands, racks and display cases License fees.**

The fee for the license required by Section 5.44.060 shall be twenty-five dollars (\$25.00) for all stationary displays and one dollar (\$1.00) for portable newspaper racks of twenty-five (25) newspaper capacity (one thousand two hundred (1,200) newspaper pages in all).

(Prior code § 19-27)

#### **5.44.080 Stands, racks and display cases Restrictions generally Authority of chief to revoke**

## **licenses.**

Newspaper or periodical stands or racks shall be of uniform type and character in conformity with the specifications thereof prescribed by the chief of police and shall be used solely and exclusively for the sale of newspapers, which shall not be exhibited or arranged in display form thereon and shall not be used for the sale, display or storage of other commodities. Such stands or racks shall not be more than three feet high and twenty (20) inches square and shall not contain, display nor have attached thereto any lettering, words or advertising material of any description except that portable stands may show the name of the newspaper contained therein. Such permanent stands or racks shall not be stationed or maintained on any street or sidewalk without the written consent of the owner of the abutting property to the erection and maintenance thereof. The location and maintenance of every such stand or rack shall be subject to the approval of the chief of police, who shall make suitable rules and regulations therefor consistent with the public use of and travel on the streets or sidewalks where the same are located and maintained. The chief may revoke any license issued to any person maintaining any such stand for violation of any of the terms of this chapter or for violation of or failure to conform to any of such rules and regulations pertaining thereto made by him.

(Ord. dated 12/21/92 § 75(a); prior code § 19-28)

## **Chapter 5.46 JUNK DEALERS**

Sections:

5.46.010 Definitions.

5.46.020 License.

5.46.030 Record.

5.46.040 Penalty.

### **5.46.010 Definitions.**

For purposes of this chapter, the following definitions shall apply:

"Employee" means any individual that is employed by the junk dealer and/or junk yard.

"Junk dealer" means any person who engages in business as a dealer and trader in junk, old metals, scrap, rags, waste paper or other secondhand articles.

"Junk yard" means any place in or on which old metal, glass, paper, cordage or other waste or discarded or secondhand material, which has not been a part, or is not intended to be a part, of any motor vehicle, is stored or deposited.

"Seller" means any member of the public that sells or any other ways conveys junk, old metals, scrap, rags, waste paper or other secondhand articles to a junk dealer and/or junk yard.

(Ord. dated 10/3/05 (part))

#### **5.46.020 License.**

A. Any person desiring to engage in the junk dealer business shall make application to the chief of police of the city of Bridgeport for such a license. The license shall be issued annually as of October first and the license fee shall be two hundred and fifty dollars (\$250.00). Prior to issuing the license the applicant shall submit proof of the junk yards compliance with the city of Bridgeport zoning regulations and that all taxes and other fees are not in arrears. No license shall be issued where there is a violation of zoning ordinances and/or where taxes and fees are in arrears.

The chief of police shall issue such license to suitable persons and may revoke such license for cause.

A person is not a suitable person who has been convicted of a felony involving moral turpitude within the previous fifteen (15) years. The chief of police, or his designee, may take fingerprints of the applicant and may submit such fingerprints to the Federal Bureau of Investigation for a national criminal history records check.

B. The junk dealer shall submit the name and address of any employee to the chief of police.

(Ord. dated 10/3/05 (part))

(Ord. dated 11/3/08)

#### **5.46.030 Record.**

The junk dealer shall maintain a record keeping system deemed appropriate to the chief of police. The records shall be in English and include a general description of the goods received and the identification of the seller which shall include seller's photograph, name and address such as a Connecticut driver's license or identification issued by the Connecticut Department of Transportation or in a format approved by the chief of police.

Each junk dealer shall make weekly sworn statements of all his/her transactions under such license describing the goods received and setting forth the name and address and a description of the person from whom such goods were received to the chief of police and shall keep all goods at least five days

after the filing of such statement.

(Ord. dated 10/3/05 (part))

#### **5.46.040 Penalty.**

The police chief may assess the following penalties which are in addition to those set forth in Connecticut General Statutes Section 21-13:

A. The chief of police may revoke the junk dealer's licenses for cause; and/or

B. Assess a two hundred and fifty (\$250.00) penalty for each violation.

(Ord. dated 10/3/05 (part))

(Ord. dated 11/3/08)

### **Chapter 5.48**

## **STREET VENDORS, ITINERANT VENDORS AND MOTOR VEHICLE VENDORS**

Sections:

5.48.010 Definitions.

5.48.020 License required.

5.48.030 Approval of weights and measures prerequisite to issuance.

5.48.040 License application.

5.48.050 Insurance requirements.

5.48.060 Duties of police.

5.48.070 License fees.

5.48.080 Issuance of license.

5.48.090 Duration of license Nontransferability.



5.48.100 Restrictions on vending operations.

5.48.110 Temporary association.

5.48.120 Statement required prior to special sale.

5.48.130 Revocation of license.

5.48.140 Location of street vending and itinerant vending operations restricted.

5.48.150 Vending in public parks prohibited without consent of board of park commissioners.

5.48.160 Violations and penalties.

5.48.170 Special events license.

5.48.180 Restrictions on stationary businesses.

5.48.190 Severability.

5.48.200 Interpretation.

5.48.210 Enforcement.

### **5.48.010 Definitions.**

For the purpose of this chapter, the following definitions shall apply:

"Public place" means any street, sidewalk, alley or other public way, any public park, square, space or grounds or any publicly owned or leased land or buildings.

"Public sidewalk" means that part of a public highway used for pedestrian traffic.

"Public street" means that part of the public highway used for vehicular traffic.

"Pushcart" means any wheeled device, other than a motor vehicle, used by a street vendor or itinerant vendor in a public place, that may be moved with or without a motor and that does not require registration with the Department of Motor Vehicles.

"Special event" means any public or private event sanctioned by or under the authority or control of the city, including but not limited to parades, festivals, concerts, carnivals and dedications and events

sponsored by nonprofit organizations exempt from federal taxation by Section 501 (c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding Internal Revenue Code of the United States, as from time to time amended.

"Stand" means any moveable, portable or collapsible structure, framework, table, container, basket or other similar equipment or device, other than a pushcart, used by a street vendor or itinerant vendor in a public place for the purpose of vending, displaying, keeping or storing any goods, wares, merchandise or food or any article used in the business of vending.

"Temporary or transient business" means any exhibition or sale of goods, wares, merchandise or food that is carried on in any tent, booth, building or other structure, unless such place is open for business during usual business hours for a period of at least nine months in each year.

"Vehicle" means any motor vehicle as defined by Connecticut General Statutes Section 14-1.

"Vend" means to sell, barter, lease, or to offer to sell, barter or lease, or to display for sale, barter or lease any goods, wares, merchandise, food or services in a public place.

"Itinerant vendor" means any person or entity, whether principal or agent, who engages in a temporary or transient business in the city, either in one locality or in traveling from place to place, selling goods, wares, merchandise or food and who, for the purposes of carrying on such business, hires, leases or occupies any tent, booth or other temporary or structure for the exhibition and sale of such goods, wares, merchandise or food.

"Motor vehicle vendor" means any person or entity, whether principal or agent, who vends, as defined by this chapter, from any motor vehicle as defined by Connecticut General Statutes Section 14-1.

"Street vendor" means any person or entity, whether principal or agent, who on any public street or sidewalk or any public place sells or barter or offers to sell or barter or carries or exhibits for sale or barter any goods, wares, merchandise or food, either on foot or from a pushcart, stand, or similar equipment or device.

(Ord. dated 1/21/97 (part))

#### **5.48.020 License required.**

No street vendor, motor vehicle vendor or itinerant vendor, except those exempt from regulation under the Connecticut General Statutes or the provisions of this chapter, shall vend goods, wares, merchandise or food in any public place within the city without first obtaining a license. The chief of police of the city shall issue a license to any street vendor, motor vehicle vendor or itinerant vendor authorizing such vendor to vend goods, wares, merchandise or food in the city, provided that such vendor shall have fully complied with the provisions of this chapter.

- A. Each license issued pursuant to this chapter shall contain the full name of the vendor, the license number, the expiration date of the license, the make, model and year of any motor vehicle to be used in the vending operation and the state of Connecticut motor vehicle license registration number, if applicable, and a nonremovable full-face photograph of the licensee and agents of such licensee. Each motor vehicle, trailer or similar appendage, vending location, stand and pushcart used to vend goods, wares, merchandise, food or services shall require a separate license.
- B. Each license issued pursuant to this chapter shall be conspicuously displayed upon the person of the licensee and upon the person of any agent of such licensee at all times that said vendor is engaged in the business of vending goods, wares, merchandise or food within the city.
- C. Each motor vehicle, vending location, pushcart or stand used by a vendor shall plainly display a sign or tag, issued by the chief of police, bearing the license number issued to the vendor and the expiration date of said license.
- D. Each license issued pursuant to this chapter shall be valid for one hundred and eighty calendar days from the date of issue, except for a special events license issued pursuant to this chapter.
- E. Before obtaining an itinerant vendor's license under the provisions of this chapter, each itinerant vendor shall possess a valid state itinerant vendor license as required by Connecticut General Statutes Section 21-28.

(Ord. dated 1/21/97 (part))

#### **5.48.030 Approval of weights and measures prerequisite to issuance.**

If any licensee or agent of such licensee uses or is required to use weights and measures in connection with the sale of goods, wares, merchandise or food, no license shall be issued by the chief of police until the weights and measures of the applicant have been approved and stamped by the city sealer of weights and measures or any of the city sealer's assistants, and a certificate to that effect from the party so approving has been filed with the chief of police.

(Ord. dated 1/21/97 (part))

#### **5.48.040 License application.**

A. Every vendor subject to the provisions of this chapter shall make application to the chief of police for a license. All such applications shall be on a form provided by the chief of police and shall include the following information:

1. The full name, address, business telephone number, if any, valid motor vehicle operator's license

number and valid motor vehicle insurance policy number if a motor vehicle vendor, or, if a street vendor or itinerant vendor, a Department of Motor Vehicles identification card, passport or some other generally accepted form of photographic identification of the applicant and all agents of the applicant who will be vending any goods, wares, merchandise or food pursuant to the applicant's license;

2. The location of the vendor's principal office or place of business, if applicable;

3. The nature of the goods, wares, merchandise or food to be vended;

4. A statement as to whether the applicant or any agent of the applicant has ever had a vendor's or other comparable license suspended or revoked in the state of Connecticut or elsewhere or has any criminal conviction involving fraud, deceit or misrepresentation and if so, the dates and locations of any suspension, revocation or criminal conviction;

5. If vending food, the applicant must present a valid health license from the Bridgeport Health Department at the time of application and maintain a valid health license during the vending license period;

6. If any vending operation requires the use of propane or similar flammable or explosive substance, the applicant must present proof of inspection of all equipment and tanks by the city fire chief.

B. In addition, the applicant shall submit a signed application, two copies of a recent photograph of the applicant and all agents of the applicant, and conclusive proof of possession of a state of Connecticut sales and use tax permit, as required by Connecticut General Statutes Section 12-409.

C. No license shall be renewed pursuant to this chapter until such time as the applicant has presented verification that all sales and use taxes due the state of Connecticut have been paid for the previous license period in accordance with applicable state statutes.

D. No license shall be issued pursuant to this chapter that conflicts with any agreement between the city or any agency of the city and a private vendor.

E. An applicant for a motor vehicle vending license under this chapter shall demonstrate to the satisfaction of the police department that the motor vehicle to be used pursuant to the issuance of said license complies with: (1) all applicable state laws and motor vehicle regulations; and (2) is equipped with a convex mirror mounted on the front so that the driver in his normal seating position can see the area in front of the motor vehicle obscured by the hood.

(Ord. dated 1/21/97 (part))

#### **5.48.050 Insurance requirements.**

A. Before any license under this chapter shall be issued, the applicant shall file with the chief of police a certificate of insurance issued by a company licensed to do business in the state of Connecticut naming the city, its officers, employees, agents and assigns as an additional insured. Said certificate of insurance shall evidence an existing policy of comprehensive general liability insurance, for a street vendor and itinerant vendor, in a minimum amount of seventy-five thousand dollars (\$75,000.00) and, if a motor vehicle vendor, in a minimum amount of three hundred thousand dollars (\$300,000), against any and all damage and injury to property or person by reason of, or related to, the licensee's operations and its use of public streets, sidewalks or other places to vend merchandise. Said insurance shall be maintained throughout the duration of the license period and failure to do so shall be grounds for immediate revocation of the vendor's license. Motor vehicle vendor insurance shall be in the nature of commercial motor vehicle insurance that shall insure the motor vehicle and any appendage to the motor vehicle, including but not limited to trailers.

B. All certificates of insurance issued pursuant to this chapter shall contain a clause that thirty (30) days' written notice of cancellation or change shall be given to the chief of police of the city.

C. An applicant shall also submit an executed agreement to indemnify and hold harmless the city and its officers, employees, agents and assigns from any and all claims, actions, injuries and damages of any kind and description that may accrue to or be suffered by any person by reason of or related to the vending of goods, wares, merchandise or food by said applicant or the granting of a license to do so.

(Ord. dated 1/21/97 (part))

#### **5.48.060 Duties of police.**

It shall be the duty of the chief of police to keep a record of all licenses granted under this chapter. Said record shall contain the number and date of all licenses, the name, address, business telephone number, if applicable, motor vehicle operator's license number, if applicable, of the person or entity licensed, the amount of license fee paid, and also the date upon which any license shall expire. The chief shall prepare and keep a detailed account of all receipts collected for such licenses and make a report thereof monthly to the city treasurer. The chief shall at the end of each month report to the city sealer of weights and measures the name, address, business telephone number, if applicable, and motor vehicle operator's license number, if applicable, of each person licensed hereunder, together with the number and date of each license issued during such month.

(Ord. dated 1/21/97 (part))

#### **5.48.070 License fees.**

A. 1. The fee for the issuance of a vendor's license issued pursuant to this chapter shall be one hundred and twenty-five dollars (\$125.00) per license period. There shall be an additional fee of thirty-five dollars (\$35.00) for each additional agent of the applicant, but the total fee for any applicant for a license

shall not exceed two hundred and fifty dollars (\$250.00).

2. The fee for the issuance of a special event license shall be seventy-five dollars (\$75.00).

B. The fee provisions of this chapter shall not apply to any person or entity entitled to an exemption pursuant to the Connecticut General Statutes.

C. The fee provisions of this chapter may be waived by the chief of police for a nonprofit organization exempt from federal taxation by Section 501 (c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding Internal Revenue Code of the United States, as from time to time amended.

(Ord. dated 1/21/97 (part))

(Ord. dated 11/3/08)

#### **5.48.080 Issuance of license.**

A. Upon completion of a license application and payment of the license fee, the chief of police shall issue the applicable vendor's license to the applicant. The issuing person, however, shall refuse to issue such license or shall revoke said license for any of the following reasons:

1. If the applicant or agent has given false or misleading information on or in connection with the application;

2. If the applicant or agent fails or refuses to provide any information or documentation required by this chapter;

3. If seeking a motor vehicle vending license, if the applicant or any agent of the applicant has had a motor vehicle operator's license revoked or suspended within the three years preceding the date of application;

4. If the applicant has had any prior vending license suspended or revoked, has been fined for violations more than three times during any prior license period, or has failed to pay sales and use taxes owed to the state of Connecticut, or file sales and use tax returns.

B. Issuance or denial of a license shall not be later than the requirements of a reasonable investigation may dictate, but in any event issuance or denial shall not be later than thirty (30) days after the date when a complete application has been filed. Under no circumstances shall the failure to act on an application within thirty (30) days be deemed an approval of a license application.

(Ord. dated 1/21/97 (part))

## **5.48.090 Duration of license Nontransferability.**

Each license issued under this chapter shall be valid for one hundred and eighty (180) days from the date of issue, except for a special events license, which shall be issued for the duration of the event. No license shall be transferable.

(Ord. dated 1/21/97 (part))

## **5.48.100 Restrictions on vending operations.**

### **A. Street Vending and Itinerant Vending.**

1. No street vendor or itinerant vendor shall vend within twenty-five (25) feet of any driveway, bus stop or crosswalk, nor within twenty-five (25) feet of any intersection, nor within twenty-five (25) feet of any other vending operation.

2. No pushcart or stand or any other item related to the operation of a vending business shall touch, lean against or be affixed to any building or structure, including but not limited to lampposts, parking meters, mailboxes, traffic signal stanchions, fire hydrants, tree boxes, benches, bus shelters, refuse baskets, traffic barriers or fences.

3. All goods, wares, merchandise or food vended by a street vendor or itinerant vendor shall be contained upon or within the pushcart or stand used by the vendor. In no case shall any goods, wares, merchandise or food be placed directly upon a street, sidewalk or public place.

4. No stand used for the purpose of street or itinerant vending shall be larger than four by six feet or three feet by eight feet nor shall any stand have a height greater than four feet. All stands shall be of a portable nature.

5. No pushcart or stand shall be located or placed so as to obstruct pedestrian or motor vehicle traffic or to be detrimental or injurious to public health or safety or to interfere with the use of any street, sidewalk or public place by the public at large.

6. No stand used for street or itinerant vending shall be located upon a public street or highway. Any pushcart used for vending upon a street shall obey all traffic and parking laws, rules and regulations. In no case shall a device used for vending be placed so as to restrict the continued maintenance of a clear passageway and unobstructed sight lines for vehicular and pedestrian traffic.

7. No more than two persons may operate or attend to a stand or pushcart at any one time, and both persons must be licensed under this chapter.

8. All stands and pushcarts shall be equipped with a trash container usable by the general public.
9. No street vendor or itinerant vendor shall operate a vending business within one thousand (1,000) feet of any property used as a public or private elementary, middle or high school from one hour before the regular school day begins until one hour after the regular school day ends; provided, however, that this subsection shall not apply on days when any such school is not in session.
10. All vending equipment, stands, goods, wares, merchandise or food and all other devices of the vending operation shall be removed from the site of the vending operation at the close of each day upon which the vendor was operating. Each vendor shall clean the vending area at the end of each day. Vending shall be allowed only during the hours eight a.m. to nine p.m. Notwithstanding the provisions of this section to the contrary, the requirements of subsection (A)(2), (5), (8) and (10) of this section may be waived or modified for special events.
11. No street vendor or itinerant vendor shall vend within three hundred (300) feet of any public train, bus station or public dock.
12. No vendor shall use or employ a sign or signs advertising its goods, wares, merchandise, food or services except in compliance with the zoning regulations of the city.
13. Vending shall be prohibited within three hundred (300) feet of Seaside Park, Beardsley Park and Pleasure Beach.
14. If vending food, the vendor shall conspicuously display its Bridgeport health department license on the vending apparatus at all times.
15. Vendors may purchase stands or pushcarts from any source, provided all other provisions of this section are adhered. Vendors are not required to purchase pushcarts from the downtown special services district.

#### B. Motor Vehicle Vending.

1. No motor vehicle vendor shall vend within one thousand (1,000) feet of any property used as a public or private elementary, middle or high school from one hour before the regular school day begins until one hour after the regular school day ends; provided, however, that this subsection shall not apply on days when any such school is not in session.
2. A motor vehicle vendor shall vend only when the motor vehicle is lawfully parked and stopped.
3. A motor vehicle vendor shall vend only from one side of the vehicle furthest away from traffic.
4. A motor vehicle vendor shall not vend to a person standing in the roadway.



5. A motor vehicle vendor shall not stop on the left side of a one-way street to vend.
6. A motor vehicle vendor shall not reverse the motor vehicle to make or attempt to make a sale.
7. A motor vehicle vendor shall not allow any person to ride in or on said motor vehicle while vending except the licensee or an agent licensed under this chapter.
8. A motor vehicle vendor shall comply with all state of Connecticut and local motor vehicle laws and regulations at all times.
9. Whenever a motor vehicle shall stop to vend, emergency flashing lights shall be in operation.
10. No motor vehicle vendor shall stop to vend within twenty-five (25) feet of any driveway, bus stop or crosswalk, nor within twenty-five (25) feet of any intersection.
11. All goods, wares or merchandise vended by a motor vehicle vendor shall be contained within the motor vehicle used by the motor vehicle vendor. In no case shall any goods, wares merchandise or food be placed directly upon a street, sidewalk or public place.
12. No more than two persons may operate or attend to a motor vehicle used for vending at any one time, and both persons must be licensed under this chapter.
13. All motor vehicles used for vending shall be equipped with a trash container usable by the general public.
14. Except for special events, as defined by this chapter, all vending equipment, stands, goods, wares, merchandise or food and all other devices of the vending operation shall be removed from the site of the vending operation at the close of each day upon which the vendor was operating. Each vendor shall clean the vending area at the end of each day. Vending shall be allowed only during the hours eight a.m. to nine p.m.
15. Any motor vehicle used for vending shall stop and park only for the purpose of making a sale and shall not establish a permanent operation at a particular location, or one having a frequency constituting other than a temporary or occasional location.
16. Motor vehicle vending shall be prohibited within three hundred (300) feet of Seaside Park, Beardsley Park and Pleasure Beach.
17. If vending food, the vendor shall conspicuously display its Bridgeport health department license on the vending apparatus at all times.

(Ord. dated 1/21/97 (part))

#### **5.48.110 Temporary association.**

No vendor shall be relieved or exempted from the provisions and requirements of this chapter by reason of associating himself temporarily with any local dealer, auctioneer, trader or merchant.

(Ord. dated 1/21/97 (part))

#### **5.48.120 Statement required prior to special sale.**

No vendor shall advertise, represent or hold any sale as an insurance, bankrupt, insolvent, assignee's, trustee's, executor's, administrator's, receiver's, wholesale or manufacturer's sale or as a sale of any goods damaged by smoke, fire, water or otherwise or in any similar form, unless, before doing so, he gives a sworn statement to the Commissioner of Consumer Protection of the state of Connecticut pursuant to Connecticut General Statutes Section 21-33.

(Ord. dated 1/21/97 (part))

#### **5.48.130 Revocation of license.**

In addition to any other penalty provided by this code or the Connecticut General Statutes, a violation of any provision of this chapter shall be grounds for the revocation of an issued license without the return of the license fee.

(Ord. dated 1/21/97 (part))

#### **5.48.140 Location of street vending and itinerant vending operations restricted.**

A street vendor may conduct vending operations only in districts OR-S, OR-G and OR-R, as such districts are set forth on the 1996 Zoning Map of Bridgeport, except that a street vendor may conduct vending operations in district DC-B on Fridays and Saturdays, and in district DC-B on any day on such city property that is not a public park and that has been designated by the chief of police of the city as a permissible vending site. The prohibition contained in this subsection shall not apply to street vendors or itinerant vendors whose vending operation is the vending of food only.

(Ord. dated 1/21/97 (part))

#### **5.48.150 Vending in public parks prohibited without consent of board of park commissioners.**

No license issued pursuant to this chapter shall be construed to permit vending in any of the public parks

of the city, except with the express written consent of the city board of park commissioners.

(Ord. dated 1/21/97 (part))

#### **5.48.160 Violations and penalties.**

A. Each action of vending goods, wares, merchandise or food by a street vendor or motor vehicle vendor in violation of any of the provisions of this chapter shall be deemed a separate offense and shall be subject to a fine not exceeding one hundred (\$100.00) dollars.

B. Any itinerant vendor who sells or exposes for sale, at public or private sale, any goods, wares, merchandise or food without a valid city itinerant vendor's license or who engages in business in contravention of this chapter shall be fined not more than fifty dollars (\$50.00).

C. Failure to carry and conspicuously display a vendor's license shall be a violation of this chapter.

D. Failure of a street vendor, motor vehicle vendor or itinerant vendor to display conspicuously the vending license on a pushcart, basket, stand, container or similar equipment or device or on a motor vehicle shall be a violation of this chapter.

(Ord. dated 1/21/97 (part))

#### **5.48.170 Special events license.**

The chief of police may issue a special events license for street, itinerant or motor vehicle vending, valid for the day or days of the event, to any person or entity fulfilling the requirements of this chapter. The prohibition against vending in residential areas may be waived for any license issued pursuant to this section.

(Ord. dated 1/21/97 (part))

#### **5.48.180 Restrictions on stationary businesses.**

No operator of a stationary business, operating from an owned or leased commercial building or storefront, shall be permitted to collect any rent or other fee from a street vendor, motor vehicle vendor or itinerant vendor in connection with any vending operation.

(Ord. dated 1/21/97 (part))

#### **5.48.190 Severability.**

The provisions of this chapter are severable and the invalidity, for whatever reason, of any part of this chapter shall have no effect upon any other part.

(Ord. dated 1/21/97 (part))

#### **5.48.200 Interpretation.**

The provisions of this chapter shall not be construed to exempt any person from securing any other license or paying any other license tax that may be authorized and imposed by the Connecticut General Statutes or by any provisions of this code.

(Ord. dated 1/21/97 (part))

#### **5.48.210 Enforcement.**

The chief of police or his duly authorized agents or representatives shall have the authority to enforce any of the provisions of this chapter and to take other such action as is necessary to protect the public.

(Ord. dated 1/21/97 (part))

### **Chapter 5.60 POWER ENGINEERS**

Sections:

5.60.010 Board of examiners.

5.60.020 License Required.

5.60.030 License Application.

5.60.040 License Interim certificate.

5.60.050 License Qualifications of applicant Issuance.

5.60.060 License Reexamination of applicants.

5.60.070 License Fees.

5.60.080 License Contents Posting.

5.60.090 License Denial or revocation Appeal.

5.60.100 License Renewal.

5.60.110 Unlicensed operation prohibited.

5.60.120 Exceptions to chapter.

5.60.130 Enforcement of chapter.

### **5.60.010 Board of examiners.**

There shall continue to be a board to be known as the board of examiners of power engineers which shall consist of three members, each of whom shall be a resident of the city and two of whom shall be practical power engineers having at least ten years' experience in the operation of steam boilers, steam turbines and steam engines. During the month of December the mayor shall appoint, annually, as a member of such board for a term of three years, a person who shall come within the classification of the member whose term shall have expired. Such board shall meet at such times as it may determine or upon the call of its chairman for the purpose of holding examinations for the licenses provided in this chapter.

(Prior code § 19-40)

### **5.60.020 License Required.**

No person shall be the engineer of, or shall have charge of, or operate, or perform the duties of a boiler tender or water tender for, any steam boiler, steam turbine or steam engine operating with more than fifteen (15) pounds gauge pressure or more than twenty-five (25) horsepower without having procured a license therefor from the board of examiners of power engineers, except as provided in this chapter.

(Prior code § 19-41)

### **5.60.030 License Application.**

Application for the license required by Section 5.60.020 shall be made to the board of examiners of power engineers upon such forms as shall be prescribed by it. The applicant shall clearly indicate thereon the character of the license for which the application is made and the maximum gauge pressure and horsepower of the apparatus which the applicant intends to operate under his license.

(Prior code § 19-42)

### **5.60.040 License Interim certificate.**

In applying for the license required by Section 5.60.020, the applicant may apply for an interim certificate authorizing him to act as a power engineer, boiler tender or water tender in a specified power plant under supervision as provided in this chapter in the interim between such application and the date upon which the board of examiners of power engineers shall pass upon his application. No such interim certificate shall be issued unless the licensed power engineer, boiler tender or water tender under whose supervision the applicant is to act under such certificate joins in requesting its issuance. Such certificate may be issued by the board or by its chairman when the board is not in session. Under such certificate, the applicant shall be privileged to act as a power engineer in a specified power plant under the supervision of a licensed power engineer if the applicant seeks to be licensed as a power engineer; or under the supervision of a licensed boiler tender or water tender if the applicant seeks to be licensed as a boiler tender or water tender. Such certificate shall expire and be of no effect sixty (60) days after the date of its issuance or at such earlier date as the board shall have passed upon the applicant's license application, and shall be surrendered to the board upon its expiration.

(Prior code § 19-43)

#### **5.60.050 License Qualifications of applicant Issuance.**

A. No license required by Section 5.60.020 shall be issued to any person until he shall have been examined by the board of examiners of power engineers and demonstrated that he is qualified by training and experience to be licensed by it. The examination may include a written test, oral test, practical text or any combination of such tests as the board may determine to be necessary to test the qualifications of applicants.

B. Although licenses shall not be necessary for the operation of low-pressure boilers, the board shall examine applicants for low-pressure boiler operator's licenses and shall issue licenses to such applicants as it shall determine to be qualified to operate steam boilers operating with less than fifteen (15) pounds gauge pressure.

C. No person shall be eligible for examination by the board, and no license shall be issued to any person, unless he shall have attained the age of twenty-one (21) years, shall be of temperate habits, shall be able to read and write the English language and unless he shall possess the following educational and experience qualifications:

1. To be licensed as a power engineer, the applicant:

a. Shall have served as a journeyman boilermaker or machinist engaged in the construction or repair of steam boilers or steam engines for a period of not less than four years and shall have had one year's experience in the operation and maintenance of stationary steam power plants;

b. Shall have had not less than two years of study at an engineering school and one year's experience in

the operation and maintenance of stationary steam power plants;

c. Shall possess a power or stationary engineer's or marine engineer's certificate issued by the United States or a power or stationary engineer's certificate issued by any state or governmental subdivision thereof; or

d. Shall have been employed as a boiler tender or water tender for not less than three years and shall have had experience in the operation and maintenance of boilers and engines.

2. To be licensed as a boiler tender or water tender, the applicant:

a. Shall have the foregoing qualifications provided for the licensing of power engineers;

b. Shall have been employed as a boiler tender, water tender, oiler or assistant to a power engineer, boiler tender or water tender operating stationary steam plants having in excess of fifteen (15) pounds gauge pressure or twenty-five (25) horsepower for a period of not less than one year; or

c. Shall have had theoretical and practical training in a technical school for boiler or water tenders for not less than one year together with not less than six months' practical experience in the operation of steam boilers.

3. To be licensed as a low-pressure boiler operator, the applicant:

a. Shall have the foregoing qualifications provided for the licensing of power engineers or boiler or water tenders;

b. Shall have had at least six months' experience as a boiler tender or water tender or as an assistant to a qualified power engineer, boiler tender or water tender;

c. Shall have had not less than six months' theoretical and practical training in a technical school for boiler or water tenders; or

d. Shall have had not less than one year's experience in the operation of low-pressure boilers.

(Prior code § 19-44)

### **5.60.060 License Reexamination of applicants.**

If any applicant for a license under this chapter shall fail to pass an examination, he may reapply for a license and be examined therefor after a lapse of thirty (30) days from the date of his original examination. If an applicant shall fail to pass an examination a second time or more, he may not reapply

for a license and for reexamination until a lapse of six months from the date of his last examination.

(Prior code § 19-45)

### **5.60.070 License Fees.**

A. No application for any of the licenses provided for in this chapter shall be received until the applicant shall have paid to the board of examiners of power engineers for the use of the city an examination fee of ten dollars (\$10.00) for a power engineer's examination, five dollars (\$5.00) for a boiler tender's or water tender's examination and two dollars (\$2.00) for a low-pressure boiler operator's examination. The examination fee shall not be refunded to any applicant who fails to pass such examination or who fails to present himself for examination at such time within sixty (60) days of the application as such board shall assign for the examination of the applicant. Such fee, however, shall be refunded to the applicant who is not examined by the board because of his failure to meet the qualifications requisite for examination. A like examination fee shall be paid to the board at the time of filing any subsequent application for a license which requires an examination by the board.

B. No license shall be issued by the board until the following fees have been paid to it: a fee of five dollars (\$5.00) for a power engineer's license and a fee of two dollars (\$2.00) for a boiler tender's, water tender's or low-pressure boiler operator's license.

C. During the period of time that any power engineer, boiler tender or water tender shall be a member of the military or naval forces of the United States, no license fee shall be required to be paid to the city as provided by this chapter for the renewal of power engineer, boiler tender or water tender licenses of such persons. If, upon the expiration of any existing power engineer, boiler tender or water tender license, it shall appear to the satisfaction of the board of examiners of power engineers that any power engineer, boiler tender or water tender is a member of the military or naval forces of the United States, such licenses shall be renewed by such board even though no application for such renewal shall have been made to it.

D. A new license, to replace any license which has been lost, destroyed or mutilated, may be issued subject to the rules of the board and upon the payment of two dollars (\$2.00) for the same.

(Prior code § 19-46)

### **5.60.080 License Contents Posting.**

Each license issued under this chapter shall designate the duties for which it is issued and the maximum gauge pressure and horsepower which the licensee may operate thereunder. Such license shall be framed and hung in a conspicuous place in the plant, or upon or near the equipment being operated under such license.



(Prior code § 19-47)

### **5.60.090 License Denial or revocation Appeal.**

The board of examiners of power engineers shall have the power to revoke any license issued by it, upon hearing held after not less than five days' notice to the licensee, if any license shall have been obtained from the board through fraud or misrepresentation or if the holder of the license shall have been found guilty by the board or by a court of competent jurisdiction of any fraud, deceit, gross negligence, incompetency or misconduct in his duties. Any person aggrieved by the action of the board in refusing to grant a license or in revoking a license issued under the provisions of this chapter may appeal to the mayor by filing such appeal with the mayor within ten days after receiving notice of such action from the board; and the mayor shall thereupon appoint three disinterested persons who shall be residents of the city, two of whom shall be practical power engineers having at least ten years' experience in the operation of steam boilers, steam turbines and engines, who shall meet within one week following such appointment to examine the person aggrieved and to confirm or reverse the decision of the board. If they shall find the applicant qualified and entitled to the license in question, then such license shall be issued forthwith.

(Prior code § 19-48)

### **5.60.100 License Renewal.**

Any unrevoked license shall be renewed without examination for a further period of one year on the payment of an annual renewal fee of five dollars (\$5.00) for power engineers and three dollars (\$3.00) for boiler tenders, water tenders and low-pressure boiler operators within thirty (30) days after its expiration. The board of examiners of power engineers may, in its discretion, renew any license within sixty (60) days after its expiration provided the applicant justifies his failure to renew the same within such thirty-day period. Any application for a license which is made after a period of sixty (60) days after the expiration of any former license possessed by the applicant shall be treated as a new application.

(Prior code § 19-49)

### **5.60.110 Unlicensed operation prohibited.**

Except as provided in this chapter, no owner, lessee, agent or any other person having control of any premises shall permit the control, management or operation of any boiler, engine or turbine of more than fifteen (15) pounds gauge pressure or more than twenty-five (25) horsepower to be entrusted to any person other than a power engineer, boiler tender or water tender licensed under this chapter. No engine, boiler or turbine over one hundred (100) horsepower shall be operated except by or under the supervision of a power engineer.

(Prior code § 19-50)

### **5.60.120 Exceptions to chapter.**

Nothing in this chapter shall apply to the operation of the locomotives of any railroad, nor to the operation of any steamboat by persons duly licensed by authority of the federal government.

(Prior code § 19-51)

### **5.60.130 Enforcement of chapter.**

This chapter shall be enforced by the inspector of combustibles of the fire department.

(Prior code § 19-52)

## **Chapter 5.64 SHOE SHINERS**

Sections:

5.64.010 License Required.

5.64.020 License Accompanying documents Qualifications of applicant.

5.64.030 License Fee.

5.64.040 License Insignia.

5.64.050 License Revocation.

5.64.060 License Term.

5.64.070 Licensee not allowed where alcoholic beverages are sold.

5.64.080 Authority of chief to issue rules for licensees under age sixteen.

### **5.64.010 License Required.**

No person shall engage in the occupation of shining shoes on the streets or public places of the city without first obtaining a license therefor from the chief of police.

(Ord. dated 12/21/92 § 75(a); prior code § 19-83)

#### **5.64.020 License Accompanying documents Qualifications of applicant.**

No license required under this chapter shall be issued unless accompanied by the certification of two reputable persons testifying that the applicant is of good moral character and recommending the issuance of such license. No such license shall be issued to any minor unless over the age of eleven (11) years; and in case of such minors, such application shall likewise be accompanied by the approval of the applicant's parents or guardians.

(Prior code § 19-84)

#### **5.64.030 License Fee.**

There shall be a charge of twenty-five cents (\$0.25) per year for each license issued under this chapter.

(Prior code § 19-85)

#### **5.64.040 License Insignia.**

With each license issued under this chapter, the chief of police shall issue a badge with a number thereon corresponding to the number of such license. Every person so licensed, for the purpose of shining shoes on the public streets, shall have the numbers of such license in Arabic figures of not less than one inch in size at all times fastened or painted on the outside of the box used by him for such occupation, and shall always wear in plain view the badge issued to him by the chief of police, and shall always have on his person the license so issued to him. The chief of police shall limit and specify on each such license issued a limited area within which such licensee may conduct his trade, and such licensee shall be governed thereby.

(Ord. dated 12/21/92 § 75(a); prior code § 19-86)

#### **5.64.050 License Revocation.**

Any license issued under this chapter may be revoked and rescinded by the chief of police at any time for disorderly, improper or delinquent conduct on the part of such licensee, for violation of any pertinent provision of this chapter, or for violation of any of the rules or regulations issued by him.

(Ord. dated 12/21/92 § 75(a); prior code § 19-87)

#### **5.64.060 License Term.**

Each license issued under this chapter shall, unless sooner revoked, continue in force until the first day of May next succeeding its issuance.

(Prior code § 19-88)

#### **5.64.070 Licensee not allowed where alcoholic beverages are sold.**

No licensee under this chapter shall be or enter upon any premises where alcoholic beverages are sold or served, and no person in charge of any such premises shall permit any such licensee to be or enter upon such premises.

(Prior code § 19-89)

#### **5.64.080 Authority of chief to issue rules for licensees under age sixteen.**

As to licensees under this chapter who are under the age of sixteen (16) years, the chief of police may, from time to time, issue such reasonable rules and regulations as he may deem necessary and appropriate for the curbing of juvenile delinquency, for the maintenance of good morals and behavior, and for the prevention of such licensees from associating with or having their morals impaired by characters of dissolute habits or conduct, and for the protection of such licensees in the interests of the public welfare, health and safety, which rules and regulations shall be adhered to and obeyed by such licensees when engaged in their occupation as bootblacks. Such rules and regulations, as and when issued, shall be distributed to licensees under the age of sixteen (16) years.

(Ord. dated 12/21/92 § 75(a); prior code § 19-90)

### **Chapter 5.68 TAG SALES**

Sections:

5.68.010 Tag sales.

#### **5.68.010 Tag sales.**

Each residence within the limits of the city is permitted to conduct three tag sales per calendar year, with each sale not to extend beyond two consecutive calendar days. The items that may be offered for sale are limited to the household goods from that particular residence that is conducting the sale. Items purchased, bartered or otherwise obtained from other sources for the purpose of resale will not be construed as household items. A fine of one hundred dollars (\$100.00) per day, per occurrence shall be levied for violations of this section.

(Prior code § 19-122)

## **Chapter 5.72 TAXICABS**

Sections:

5.72.010 Solicitation of passengers.

5.72.020 Duties of driver in regard to lost property.

### **5.72.010 Solicitation of passengers.**

No driver of a public cab, coach or taxicab shall solicit passengers except in a quiet and orderly manner, or interfere in any way with the proper and orderly access to or egress from any theater, hall, hotel, public resort, railway or ferry station or other place of public gathering.

(Prior code § 30-1)

### **5.72.020 Duties of driver in regard to lost property.**

Every driver of a public cab, coach or taxicab, immediately after the termination of any hiring or employment or at the end of any trip made by such vehicle, shall carefully search such vehicle for any property lost or left therein; and any such property, unless sooner claimed by or delivered to the owner, shall be taken to the nearest police station and deposited with the officer in charge thereof within five hours after finding the same. The officer to whom such property shall be delivered shall forward the same to the clerk of the police department with a brief description thereof and the name and address of the person who turned in the same.

(Prior code § 30-2)

## **Chapter 5.76 TOW TRUCKS**

Sections:

5.76.010 Short title.

5.76.020 Definition.

5.76.030 License Required.

5.76.040 License Application.

5.76.050 License Insurance prerequisites.

5.76.060 License Investigation of applicant and proposed operation.

5.76.070 License Standards of issuance.

5.76.080 License Fee Term.

5.76.090 License Conditions.

5.76.100 License Revocation.

5.76.110 Promulgation of regulations by board of police commissioners.

**5.76.010 Short title.**

This chapter shall be known and may be cited as the "Tow Truck Ordinance."

(Prior code § 30-14)

**5.76.020 Definition.**

For the purposes of this chapter, the word "wrecker" shall mean a person engaged in the business, or offering the services, of a vehicle wrecker or towing service, whereby disabled motor vehicles are towed or otherwise removed from the place where they are disabled by use of a wrecker so designed for that purpose.

(Prior code § 30-15)

**5.76.030 License Required.**

No wrecker shall engage in business within the city or offer such service within the city without first obtaining a license as provided in Sections 5.76.040 through 5.76.100 from the chief of police.

(Ord. dated 12/21/92 § 75(a); prior code § 30-16)

**5.76.040 License Application.**

Applications for wrecker licenses shall be made upon the blank forms prepared and made available by the chief of police and shall state:

A. The name, home address and proposed business address of the applicant;

B. The location, description and hourly availability of the tow trucks owned or operated by the applicant;

C. That the applicant has available space for properly accommodating and protecting all disabled motor vehicles to be towed or otherwise removed from the place where they are disabled;

D. Such other information as the chief of police shall find reasonably necessary to effectuate the purpose of this chapter and to arrive at a fair determination of whether the terms of this chapter have been complied with.

(Ord. dated 12/21/92 § 75(a); prior code § 30-17)

#### **5.76.050 License Insurance prerequisites.**

A. No wrecker license shall be issued to an applicant under this chapter until he shall have deposited with the chief of police the following insurance policies:

1. Garage Keeper's Policy. A garage keeper's legal liability policy covering fire, theft and explosion in an amount acceptable to the board of police commissioners;

2. Garage Liability Policy. A garage liability policy, covering the operation of the applicant's business, equipment or vehicles, for any bodily injury or property damage. Such policy shall be in an amount acceptable to the board of police commissioners.

B. Each policy required in this section must contain an endorsement providing for thirty (30) days' notice to the city in the event of any material change or cancellation.

(Ord. dated 12/21/92 § 75(a); prior code § 30-18)

#### **5.76.060 License Investigation of applicant and proposed operation.**

After receipt of an application for a wrecker license as provided for in this chapter, the chief of police shall cause an investigation to be made of the applicant and of his proposed operation.

(Ord. dated 12/21/92 § 75(a); prior code § 30-19)

### **5.76.070 License Standards of issuance.**

The chief of police shall issue a license under this chapter when he finds:

- A. That the public convenience and necessity require the proposed wrecker service for which application has been submitted;
- B. That insurance policies as required by this chapter have been procured;
- C. That the applicant and all employees are fit and proper persons to conduct or work in the proposed business;
- D. That the requirements of this chapter and all other governing laws and ordinances have been met.

(Ord. dated 12/21/92 § 75(a); prior code § 30-20)

### **5.76.080 License Fee Term.**

A wrecker license shall be issued to a successful applicant under this chapter after payment to the chief of police of a license fee of four hundred and fifty dollars (\$450.00) for each year thereof. Unless sooner revoked, such license shall expire on April first of each year.

(Ord. dated 12/21/92 § 71; prior code § 30-21)

(Ord. dated 11/3/08)

### **5.76.090 License Conditions.**

A wrecker license shall be issued subject to the following conditions:

- A. **Exhibition of Sticker.** The chief of police shall issue to a licensed wrecker a sticker which the wrecker shall at all times prominently display on the right front windshield of each wrecker or other vehicle used for towing purposes.
- B. **Maintenance of Equipment.** Wreckers shall keep and maintain towing equipment which is adequate to perform such towing service in a reasonably workmanlike manner.
- C. **Compliance with Rate Schedule.** Wreckers shall charge for their services such rates as may be fixed by regulation of the board of police commissioners.

(Ord. dated 12/21/92 § 75(a); prior code § 30-22)



### **5.76.100 License Revocation.**

The chief of police shall revoke a wrecker license issued under this chapter when he finds that:

A. The license was procured by fraudulent conduct or false statement of a material fact, or that a fact concerning the applicant was not disclosed at the time of his making application, and such fact would have constituted just cause for refusal to issue such license;

B. The licensee has violated the fee schedule by overcharging;

C. The licensee has violated any of the requirements of this chapter or any of the rules and regulations as established by the board of police commissioners.

(Ord. dated 12/21/92 § 75(a); prior code § 30-23)

### **5.76.110 Promulgation of regulations by board of police commissioners.**

The board of police commissioners shall adopt and enforce reasonable rules and regulations for wreckers which shall be approved by the common council of the city and thereafter shall have the effect of an ordinance.

(Prior code § 30-24)

## **Chapter 5.80 WEIGHTS AND MEASURES**

Sections:

5.80.010 Weighing and measuring devices Definitions Conduct License requirements Exemption Penalties.

5.80.020 Duties of city sealer.

5.80.030 Police assistance for city sealer.

5.80.040 Records and reports of city sealer.

5.80.050 Public scale designated.

5.80.060 Fees for use of public scale.

5.80.070 Weighing of coal and coke.

5.80.080 Statement of dealers in coal or coke.

5.80.090 Sale of ice.

**5.80.010 Weighing and measuring devices Definitions Conduct License requirements Exemption Penalties.**

A. Definitions. For the purposes of this chapter:

"Capacity" means measure of capacity as rated by the manufacturer.

"Crane scale" means a weighing device having normal capacity of five thousand (5,000) pounds or more and designed to weigh loads which are freely suspended from an overhead, track-mounted crane.

"Hopper scale" means a weighing device designed for weighing bulk commodities and whose load-receiving element is a tank box or hopper mounted on a weighing element.

"Load-rack meter" means a measuring device affixed to a loading platform at which a vehicle tank is filled.

"Motor fuel dispenser meter" means a device for the measurement and delivering of liquids used as fuel for internal combustion engines.

"Scale" means any weighing device used in commercial trade and not otherwise covered by this chapter.

"Vehicle tank meter" means a measuring device which is affixed to a vehicle-mounted tank.

B. Prohibited Conduct. No person shall operate or maintain a weighing or measuring device for commercial purposes unless he has obtained a license from the city sealer. Connecticut State Statutes mandate yearly inspections of weighing and measuring devices. Any device not properly licensed will be condemned. No device will be tested or sealed unless proper licensing has been obtained. Anyone using a condemned device is operating illegally by using an unsealed device. Other penalties may apply at the state level for this violation. (Sec. 43 inclusive of the Connecticut State Statutes.)

C. License Requirements. The city sealer shall not issue a weighing and measuring device license unless:

1. Such device has been inspected and approved by the city sealer;

2. Each applicant furnishes such information relative to the application for a weighing and measuring device license as the city sealer shall require; and

3. Each applicant pays the following annual license fee on or before February 1st of each year:

a. Retail motor fuel dispenser meters: fifty-five dollars (\$55.00) per meter.

b. Vehicle tank and load rack meters: one hundred and sixty dollars (\$160.00) per meter.

c. Taxi cab meter: forty dollars (\$40.00) per meter.

d. Scales:

i. 050 lb. capacity: forty dollars (\$40.00) per device.

ii. 512,999 lb. capacity: one hundred and forty dollars (\$140.00) per device.

iii. Over 3,000 lb. capacity: two hundred and five dollars (\$205.00) per device.

iv. Hopper or crane scale: two hundred and seventy dollars (\$270.00) per device.

v. Vehicle tank and loading rack meters: one hundred and sixty-five dollars (\$165.00) per meter.

D. Exemption. Any city-owned device which includes any device bought and/or operated by a city department through the city of Bridgeport general fund will be exempted from fee payment under this chapter.

E. Penalties. The penalty for violation of any provision of this section shall be a fine of one hundred thirty dollars (\$130.00) per device. Each day in which a device shall not be duly registered shall be considered a separate violation subject to a fine of one hundred thirty dollars (\$130.00).

(Ord. dated 10/17/05; Ord. dated 6/6/94 (part): Ord. dated 5/6/91 (part): prior code § 19-72)

(Ord. dated 11/3/08)

### **5.80.020 Duties of city sealer.**

The city sealer of weights and measures shall perform all of the duties and be vested with all of the powers described in Section 43-6 of the General Statutes and in this chapter and shall perform such other duties as the common council may direct. He shall be ex officio public weigher of the town of

Bridgeport, shall have the powers and perform the duties prescribed by Chapter 750 of the General Statutes, and shall from time to time designate a person who shall operate the public scale referred to in this chapter. Weights and measures shall be a function of the department of health and social services and the city sealer of weights and measures shall perform his duties and operate his office under the supervision of the director of health and social services or his designee.

(Ord. dated 12/21/92 § 75(g), (h); prior code § 19-64)

#### **5.80.030 Police assistance for city sealer.**

It shall be the duty of every policeman to assist the city sealer of weights and measures, whenever called upon by him to do so, and to report to him any violation of law relative to weights and measures within such policeman's knowledge.

(Prior code § 19-65)

#### **5.80.040 Records and reports of city sealer.**

The city sealer of weights and measures shall keep a complete record of all his official acts and shall make an annual report, duly sworn to, on or before October 1st in each year, to the state superintendent of weights and measures on blanks to be furnished by such superintendent; and he shall likewise on or before such day make a like annual report to the common council.

(Prior code § 19-66)

#### **5.80.050 Public scale designated.**

A city scale located at the city yard on Housatonic Avenue, shall be designated as a public scale for such uses as may be provided by law under the control and supervision of the city sealer of weights and measures and such person as he may from time to time designate to operate such scale.

(Prior code § 19-67)

#### **5.80.060 Fees for use of public scale.**

A. Whenever the city sealer of weights and measures as public weigher or any person designated by him to operate the public scale is called upon to weigh any article, he shall do such weighing in conformity to law and shall charge and collect a fee of twenty-five dollars (\$25.00) per device.

B. All fees received for weighing at the public scale shall be turned over to the city sealer of weights and measures, and he shall, as public weigher, pay over to the director of finance by close of the next

business day the amount of fees collected and received by him with a statement of the name and address of the person for whom such weighing was done, a description of the articles weighed and the amount of fees collected.

(Ord. dated 6/6/94 (part): Ord. dated 5/6/91 (part): prior code § 19-68)

(Ord. dated 11/3/08)

#### **5.80.070 Weighing of coal and coke.**

No person engaged in the business of selling coal or coke who does not own or control a scale upon which the coal or coke may be weighed shall sell and deliver any such coal or coke until he shall have caused the coal or coke in the bag, wagon or other receptacle in which it is to be delivered to be weighed at the public scale. When any coal or coke shall be so weighed, the city sealer of weights and measures or the person designated by him shall issue to such dealer a ticket showing the net weight of such coal or coke; and the fee for such weighing shall be paid by the dealer. No such dealer shall deliver any coal or coke on any day unless prior thereto on such day he shall have caused his unloaded wagon or other receptacle, with its equipment, to be weighed at the public scale and shall have received a ticket from the city sealer of weights and measures or the person designated by him showing such tare weight.

(Prior code § 19-69)

#### **5.80.080 Statement of dealers in coal or coke.**

No person shall engage in the business of selling coal or coke until he shall have lodged with the city sealer of weights and measures a written statement in such form as may be required by such sealer of weights and measures showing his name or, if a partnership, the name of the several partners, and the place where such business is to be carried on. This section shall not apply to persons selling coal or coke as hucksters and licensed therefor.

(Prior code § 19-70)

#### **5.80.090 Sale of ice.**

No person shall sell any ice at retail except by weight, and no retail delivery thereof shall be made until the ice shall have been actually weighed to ascertain the weight of the same.

(Prior code § 19-71)

### **Chapter 5.84 MISCELLANEOUS BUSINESS REGULATIONS**

## Sections:

5.84.010 Indecent performances.

5.84.020 Wearing head coverings that obstruct view.

5.84.030 Sunday exhibitions restricted Theaters.

5.84.040 Sunday exhibitions restricted Outdoor motion pictures.

5.84.050 Sunday exhibitions restricted Jai alai.

### **5.84.010 Indecent performances.**

Whenever the chief of police shall find that any person proposes to give, causes to be given or is giving any exhibition or performance of pictures, plays, devices or other form of public amusement or entertainment, which amusement or entertainment is blasphemous, indecent or contrary to good morals, it shall be his duty and the duty of such police officers as he may detail for that purpose to prevent such exhibition or performance or to prevent and stop the continuance thereof and to that end to enter upon any premises whereon such exhibition or performance is being given or is to be given.

(Ord. dated 12/21/92 § 75(a); prior code § 5-1)

### **5.84.020 Wearing head coverings that obstruct view.**

No person shall wear a covering for the head in any place of public amusement within an enclosed building so as to obstruct the view of any other person.

(Prior code § 5-2)

### **5.84.030 Sunday exhibitions restricted Theaters.**

The presentation of theatrical exhibitions or vaudeville performances from a stage on Sundays is authorized between the hours of two p.m. and eleven p.m. provided all ordinances of the city and appropriate rules and regulations of any department thereof applying to such exhibitions or entertainments are fully complied with. Nothing contained in this section shall permit the performance or exhibition of burlesque shows, so-called, or the presentation of any theatrical exhibition or performance that is lewd, obscene or indecent.

(Prior code § 5-3)

#### **5.84.040 Sunday exhibitions restricted Outdoor motion pictures.**

The presentation of outdoor motion picture exhibitions on Sunday is authorized between the hours of twelve midnight of the preceding Saturday and one a.m. and between the hours of one p.m. and twelve midnight during the months of May, June, July, August, September and October.

(Prior code § 5-4)

#### **5.84.050 Sunday exhibitions restricted Jai alai.**

Pursuant to authority granted in Public Act No. 81-50 of the Connecticut General Statutes, Bridgeport Jai Alai of 255 Kossuth Street, Bridgeport, is allowed to conduct jai alai at 255 Kossuth St., Bridgeport on Sundays provided no Sunday event is begun prior to one p.m. and Bridgeport Jai Alai has jai alai events on no more than six calendar days in any one calendar week.

(Prior code § 5-5)